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# Legislative Journal.

Session 1949.

138th of the General Assembly.

Vol. 31.

HARRISBURG, PA., WEDNESDAY, APRIL 27, 1949.

No. 53.

## SENATE

WEDNESDAY, April 27, 1949.

The Senate met at 10:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

### PRAYER

The Chaplain, Rev. WILLIAM D. McLEAN offered the following prayer:

Almighty God, who pourest out on all who desire it the spirit of grace and of supplication, we ask Thee to be present with this Senate of the Commonwealth of Pennsylvania as they convene for their duties this day.

We praise Thee for Thy many past blessings to us, for Thy preservation of us from the beginning of our lives to this day. We are thankful for whatsoever Thou hast given us richly to enjoy, for health and vigor, for joys of friendship, for every good gift of happiness and strength, and for all Thy servants who by their example and encouragement have helped us on our way.

Now, we pray Thee, that these gentlemen now present may by wise legislation and faithful administration, protect the rights of all people so that this Commonwealth may be enabled to fulfill Thy purposes. Grant to them clean hands, pure hearts and unfailing devotion to the cause of righteousness, so that Thy work in our midst may be promoted for Thy glory and the establishment of good government. Give them patience, justice and uprightness in all their dealings; quiet, peace and compassion, a readiness to do good to all men according to their ability and opportunities.

These things, and whatever else Thou shalt see to be necessary and convenient for them and the people, we humbly ask in the name of Jesus Christ, our Lord. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. TALLMAN, further reading was dispensed with, and the Journal was approved.

### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE BILL NO. 375

The Clerk of the House of Representatives being in-

troduced, returned to the Senate, Senate Bill No. 375, entitled:

An Act to further amend paragraph four of subsection A of section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 603 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 603, entitled:

An Act providing for the payment of salaries to the president and members of the town council of incorporated towns at the discretion of the town council.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

#### SENATE CONCURRENT RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE FINANCIAL NEEDS OF THE SCHOOL DISTRICT OF THE FIRST CLASS

Mr. LORD, JR. offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 27, 1949.

Whereas, For the past several years the matter of

raising funds by taxation for the support of the school district of the first class coterminous with the city of Philadelphia has been a paramount question before each session of the General Assembly of this Commonwealth and

Whereas, With each year this problem has become more difficult to solve since the cost of maintaining adequate school facilities and the salaries of teachers have risen and because the general tax burden has become heavier; and

Whereas, The school district coterminous with Philadelphia has been existing from hand-to-mouth so to speak, from biennium to biennium on temporary taxes prescribed by the General Assembly; and

Whereas, It is necessary that a fixed adequate solution be found to the financial problems of the school district of the first class coterminous with the city of Philadelphia in order that the schools there can be maintained on a level with schools in this State and in cities outside this Commonwealth of comparable size, in order that the tax burden of supporting such schools may be reasonably placed with certainty, and in order that the General Assembly need not concern itself biennium after biennium with such an involved problem over such a local matter; now therefore be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission is hereby directed to investigate, study and determine the present and future financial needs of the school district of the first class coterminous with the city of Philadelphia with particular emphasis on a comparison of Philadelphia's problems as compared with those of other large cities and considering all factors including trends in school population pupil-teacher ratio, and school building construction; and be it further

Resolved, That the commission shall attempt to formulate a basis for permanent forms of taxation to meet the financial requirements of such school district; and be it further

Resolved, That the commission shall report its findings and recommendations to the next session of the General Assembly and shall propose legislation embodying the results thereof

Ordered, That the Clerk present same to the House of Representatives for concurrence.

### HOUSE MESSAGE

#### SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

#### JOINT STATE GOVERNMENT COMMISSION TO STUDY AND REVISE CERTAIN LAWS AND TO STUDY AND INVESTIGATE CERTAIN CONDITIONS

In the House of Representatives, April 26, 1949.

Whereas, The General Assembly requires for its use comprehensive, factual information concerning the numerous problems before it;

Resolved (if the Senate concurs), That the Joint State Government Commission is hereby directed to:

1. Study and revise
  - (a) The Administrative Code of 1929 and related statutes
  - (b) Laws relating to mental health
  - (c) Laws relating to landlord and tenant, eviction proceedings, rent control, and kindred statutes
  - (d) Orphans' Court Act, Orphans' Court Partition Act, Register of Wills Act, Revised Price Act, with their supplements and related statutes

- (e) Laws relating to insurance
2. Study and investigate
  - (a) Cost of construction and maintenance of public highways as related to vehicles used thereon
  - (b) Space requirements for State government outside of the city of Harrisburg, rental costs and convenience involved, and the cost and convenience of alternative arrangements
  - (c) The accounting systems used by the several departments, agencies and commissions of the Commonwealth with a view of developing adequate and uniform accounting systems and complete analyses of the Commonwealth's fiscal condition, including a statement and analysis of assets, exclusive of physical assets, and liabilities of the Commonwealth
  - (d) Administration and financing of public assistance in the Commonwealth
  - (e) Taxation and exemption of liquid fuels utilized for nonhighway purposes, methods of exempting, taxing, and rebating and distributing any such taxes
  - (f) Criminal jurisdiction of the Allegheny County Court
  - (g) Commonwealth-owned forests and reforestation
  - (h) Fishways and similar devices which may be used in the waters of the Commonwealth and the fish population in such waters
  - (i) Efficient public school attendance areas within the Commonwealth
  - (j) Occupational hazards to State employees in the performance of their official duties
  - (k) Cost of retirement systems to the Commonwealth and its political subdivisions
  - (l) Child placement and adoption in the Commonwealth; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations, with such drafts of legislation necessary to carry the recommendations into effect.

Ordered, That the Clerk inform the House of Representatives accordingly.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until one o'clock p. m., Eastern Standard Time.

Mr. KEPHART. Mr. President, I second the motion. The motion was agreed to.

### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

#### HIGH SCHOOL STUDENTS OF LANCASTER CITY AND COUNTY PRESENTED TO SENATE

The PRESIDENT. At this time the Chair would like very much to introduce to the Senate a group of students from the various high schools of Lancaster City and County, who are here under the direction of Miss Sara Ann Stauffer.

They are interested in the problems of government, and we are very glad to have them with us.

### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 389, as follows:

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An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections seven hundred fifty-one eight hundred five eight hundred six and eight hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 751 Work to be done under contract let on bids exception (a) all construction reconstruction repairs or work of any nature including the introduction of heating ventilating or lighting systems upon any school building or upon any school property made by any school district where the entire cost value or amount of such construction reconstruction repairs or work including labor and material shall exceed three hundred dollars (\$300) in school districts [other than school district of the first class and in school districts of the first class where such entire cost value shall exceed six hundred dollars] of the third or fourth class or five hundred (\$500) in school districts of the second class or one thousand dollars (\$1000) in school districts of the first class shall be done under contract or contracts to be entered into by such school district with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids provided that if due to an emergency a school plant or any part thereof becomes unusable during the school term competitive bids for repairs or replacement may be solicited from at least three responsible bidders and upon the approval of any of these bids by the State Superintendent of Public Instruction the Board of School Directors may proceed at once to make the necessary repairs or replacements in accordance with the terms of said approved bid or bids

(B) The board of school directors in any school district of the first or second classes either may perform any construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is less than one thousand dollars (\$1000) by its own maintenance personnel or may have any such construction reconstruction repairs or work performed by contract after soliciting bids from at least three responsible bidders Provided That the board of school directors in any school district of the first and second classes may authorize the secretary of the board or other executive to award contracts for construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is three hundred dollars (\$300) or less without soliciting competitive bids

Section 805 Classes of School Supplies Purchasing Agent School supplies shall be divided into two classes the first class shall include school desks chairs typewriters and school apparatus The second class shall include maps globes and all other supplies except textbooks necessary for school use not included in the first class The Board of School Directors in any district may authorize or appoint the secretary of the Board or other executive [or] as purchasing agent for the district with authority to purchase supplies of either class costing less than three hundred dollars (\$300) in districts of the first or second class and less than one hundred dollars (\$100) in districts of the third or fourth class without soliciting bids and without public notice

Section 806 Purchase of Supplies of the First Class [costing \$100 or more] When it is deemed necessary to purchase desks or other supplies of the first class costing

three hundred dollars (\$300) or more in districts of the first or second class or one hundred dollars (\$100) or more in districts of the third or fourth class the Board of School Directors shall solicit sealed quotations from two or more firms manufacturers or dealers in such supplies such quotations shall be opened at a regular or special meeting of the Board of School Directors the boards shall accept the bid of the lowest responsible bidder when the kinds and quality of supplies and equipment offered are the same or are equal but they shall have the right to reject any and all bids or select a single item from any bid Any school district may purchase school furniture and other equipment from another school district without asking for competitive bids

Section 807 Purchases of Supplies of the Second Class [costing \$300 or more] (a) all supplies of the second class costing one thousand dollars (\$1000) or more in school districts of the first class or five hundred dollars (\$500) or more in school districts of the second class or three hundred dollars (\$300) or more in school districts of the third or fourth class shall be purchased and contracts therefor awarded only after public notice has been given by advertisement published once each week for three weeks in not less than two newspapers of general circulation in any district where no newspaper is published said notice may in lieu of such publication be posted in at least five public places such advertisement or notice shall give all necessary information or give notice of convenient access thereto in such manner that bidders can intelligently make bids for such contracts

The Board of School Directors shall accept the lowest bid or bids kind quality and material being equal but shall have the right to reject any and all bids or select a single item from any bid

(b) The Board of School Directors may purchase supplies costing less than one thousand dollars (\$1000) in school districts of the first class less than five hundred dollars (\$500) in school districts of the second class and less than three hundred dollars (\$300) in school districts of the third and fourth classes from the lowest responsible bidder after soliciting sealed quotations from two or more firms manufacturers or dealers in such supplies

Section 2 The Act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1077) entitled "An act providing for and regulating the authority of school districts to purchase supplies and to perform or contract for construction reconstruction repairs and work of any nature" is hereby repealed

Section 3 The provisions of this act as well as the provisions of the sections amended thereby shall become effective on the first day of July one thousand nine hundred forty-nine

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 389

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 389.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,  
Barrett,

Geltz,  
Haluska,

Meade,  
Neff,

Tarr,  
Taylor,

Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 399, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of certain additional words in the corporate name changing the contents of articles of Young Men's Christian Associations authorizing the passage of by-laws superseding the charter on purely administrative matters permitting notice of meetings to be given by advertisement changing certain provisions relating to mergers consolidations and foreign corporations and repealing an act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 957) is hereby further amended to read as follows

Section 202 The Corporate Name A The corporate name may be in any language but must be expressed in English letters or characters The corporate name shall not imply that the corporation is a governmental agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking the Public Utility Commission or of the Insurance Department and shall not contain the word "bank" "banking" "banker" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" "Commonwealth" "United States" or "Federal" nor shall the corporate name contain the word "college" or "university" when used in such a way as to give the impression that it is an educational institution conforming to the standards and qualifications prescribed by the State Council of Education unless there be submitted a certificate from the State Council of Education certifying that the corporation or proposed corporation is entitled to use such designation Provided however That the word "State" "Commonwealth" "United States" or "Federal" may be used if such use does not imply that the corporation is a governmental agency of the Commonwealth or of the United States

Section 2 Clause (2) of section two hundred fifteen and section four hundred three of said act are hereby amended to read as follows

Section 215 Young Men's Christian Associations In the case of the incorporation of a Young Men's Christian Association the articles of incorporation shall in addition to the information heretofore required by this article set forth

\* \* \* \* \*

(2) A statement that the proposed corporation is for the improvement of the spiritual mental social and physical condition of young [men] people by the support and maintenance of lecture rooms libraries reading rooms religious and social meetings gymnasiums and such other means and services as may conduce to the accomplishment of that object according to the general rules and regulations of the State Young Men's Christian Association of Pennsylvania

Section 403 Contents of By-laws Subject to the provisions of this act the by-laws may contain any provisions for the regulation and management of the affairs of the corporation and may provide penalties for the breach thereof not exceeding twenty dollars (\$20.00) and may change alter or amend such provisions of the corporate charter as are purely administrative in their nature any limitation contained in any such charter to the contrary notwithstanding

Section 3 Section six hundred four of said act as amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 590) is hereby further amended to read as follows

Section 604 Notice of Meetings of Members Written notice of every meeting of the members shall be given by or at the direction of the person authorized to call the meeting to each member of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act in a particular case Provided That [cemetery companies] such corporations may provide in their by-laws that in lieu of written notice they shall give at least five (5) days' notice of such meeting by advertising once in one newspaper of general circulation within the city borough or township where the [cemetery] corporation is located and once in the legal journal published in the county if any [and by posting a copy of the notice at least five (5) days prior to the day named for such meeting on the cemetery gates] In all such cases where [cemetery companies] such corporations provide for notice by publication [and posting] it shall be unnecessary to give written notice of meetings to members of record entitled to vote at meetings and such notice by advertising [and posting] shall be effective as actual and not merely constructive notice of meetings

When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 4 Section eight hundred one of said act as amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1294) is hereby further amended to read as follows

Section 801 Merger or Consolidation Authorized A Any two or more domestic nonprofit corporations formed for kindred purposes or any one or more domestic nonprofit corporations and any one or more foreign nonprofit corporations may in the manner hereinafter provided in this article either be merged into one of such [domestic] nonprofit corporations either domestic or foreign hereinafter designated as the surviving corporation or be consolidated into a new domestic or foreign nonprofit corporation provided such foreign nonprofit corporations are authorized by the law or laws of the jurisdiction under which they were formed to effect such merger or consolidation [Such application shall be made to the court of common pleas of the county in which the registered office of the surviving or new corporation is to be located] if a proposed merger or consolidation will result in a surviving domestic corporation or a new domestic corporation such application shall be made to the court of common pleas in the county in which the registered office of such surviving corporation is located or the registered office of such new corporation is to be located if any proposed merger or consolidation will result in a surviving foreign corporation or a new foreign corporation such application shall be made to the court of common pleas of the county in which the registered office of the constituent domestic corporation is located unless there are two or more constituent domestic corporations to such merger or consolidation in which case such application shall be made to the court of common pleas of the county in which the registered office of any one of such constituent domestic corporations is located the merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation have been adopted and filed as provided in this act

Section 5 Sections eight hundred two and eight hundred three of said act are hereby amended to read as follows

Section 802 Approval of Joint Plan of Merger or Consolidation Before the Application is Made to the Court A joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and such other details and provisions as are deemed necessary shall be approved by the affirmative vote of at least a majority of the members of each of the merging or consolidating domestic corporations entitled to vote thereon at a regular or special meeting of each domestic corporation convened after at least ten days' written notice to all the members of this purpose if the proposed plan of merger or consolidation would make any change in the rights of the members of any class of a domestic corporation then the members of such class shall be entitled to vote as a class upon such plan whether by the terms of the articles of the corporation Such class is or is not entitled to vote and in addition to the vote herein required the affirmative vote of at least a majority of the members of each class so affected by the plan shall be necessary for the adoption thereof If any foreign corporation is a party to the merger or consolidation the plan of merger or consolidation shall be authorized adopted or approved by such foreign corporation in accordance with the laws of the jurisdiction in which it was formed The fact of such approval shall be certified on the joint plan by the secretary of each corporation and the plan so adopted and certified shall be

signed and acknowledged by two duly authorized officers of each corporation

Section 803 Articles of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the [members of the] corporations desiring to merge or consolidate as provided in the preceding section Articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation shall be signed and verified by at least two duly authorized officers of each corporation and shall among other things set forth

(1) The name and location of the registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation The name of such corporation and its domiciliary state together with the location of its office registered with such state

(2) The time and place of the meeting of the members of each domestic corporation at which the joint plan was adopted the kind and period of notice given to the members and the total vote by which the joint plan was adopted

(2.1) If any foreign corporation is a party to the merger or consolidation the fact that the joint plan was authorized adopted or approved as the case may be by such corporation in accordance with the laws of the jurisdiction in which it was formed

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation If the new corporation be a domestic corporation all of the statements required by this act to be set forth in articles of incorporation in the case of formation of a corporation

(4) The names and addresses of the persons to be directors of the surviving or new corporation until the first regular meeting of its members

(5) The plan of the merger or consolidation

(6) If the surviving or new corporation is to be a foreign corporation A designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of such corporation upon whom may be served all lawful process in any action or proceeding against it for enforcement against it of any obligation of any constituent domestic corporation or any obligation arising from the merger or consolidation proceedings or any action or proceeding to determine and enforce the rights of any member and an agreement that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on such corporation and that the authority for such service of process shall continue in force as long as any of the aforesaid obligations and rights remain outstanding in this Commonwealth

Section 6 Section eight hundred four of said act as amended by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 957) is hereby further amended to read as follows

Section 804 Registration of Corporate Name If the name of the domestic surviving corporation in the case of a merger or of the domestic new corporation in the case of a consolidation is to be different from the name of either of the constituent corporations The constituent corporation shall make a joint application to the department of State for the registration of the proposed name The application shall set forth the names and addresses including streets and number If any of the registered offices of the constituent corporations the date of incorporation and the act under which each was incorporated and the name which the surviving or new corporation desires to use and the address including street and number if any of the registered office of the surviving or new corporation If the Department of State finds that the proposed name is available for corporate use the department shall register the name and shall issue to the corporations or their representatives a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the department shall refuse to register such name and

shall forthwith notify the corporations or their representative of this fact upon application of any party interested either for or against the proposed merger or consolidation. The department shall include in any certificate issued by it under this section any information desired as to the names registered with the department.

Section 7 Sections eight hundred five eight hundred six eight hundred seven eight hundred eight and eight hundred nine of said act are hereby amended to read as follows:

Section 805 Articles of Merger or Consolidation to Be Filed with the Prothonotary. A copy of the articles of merger or articles of consolidation as the case may be and in the case of a proposed change of the corporate name the certificate from the Department of State relating to the registration of the proposed corporate name shall be filed jointly by the constituent corporations in the office of the prothonotary of the Court of Common Pleas of the county [wherein the registered office of the surviving or new corporation is to be located] to which the application for merger or consolidation is required. By this act to be made the articles and the certificate if any shall remain on file in the office of the prothonotary at least three days prior to the day the application for merger or consolidation will be made to the court as hereinafter provided and shall be open to the inspection of the public during the business hours of such office.

Section 806 Advertisement. The Constituent Domestic Corporations shall jointly advertise their intention to apply to the court for permission to merge or consolidate in newspapers published in the county or counties in which the registered offices of the corporation are located in a manner similar to that heretofore prescribed in this act in the case of the formation of a nonprofit corporation. Advertisements shall appear at least three days prior to the day fixed for the presentation of the application to the court and shall set forth briefly:

(1) The names and location of the registered offices of the constituent corporations.

(2) The name and location of the proposed registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with such state.

(3) A statement that the merger or consolidation is to be effected under the provisions of this act.

(4) A brief summary of the plan or merger or consolidation.

(5) A statement that the articles of merger or articles of consolidation as the case may be have been filed in the office of the prothonotary and the time when the application will be made to the court.

Section 807 Court to approve or refuse merger or consolidation on the day specified in the advertisement or as soon thereafter as the matter may be heard. The constituent corporations or their representative shall present an application for the merger or consolidation of such corporations to the court and shall present to the court the articles of merger or articles of consolidation as the case may be a certified copy of the joint plan of merger or consolidation proof of the advertisement required by the preceding section and in the case of a proposed change of the corporate name a certificate of registration from the Department of State. The court shall consider the application; it may hear evidence on behalf of the applicants and against the application if any there be or it may refer the application to a master to make report as to the propriety of granting the application in such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them if the court shall be of the opinion that the proposed merger or consolidation is lawful will be beneficial and not injurious to the community and does not conflict with the requirements of this act the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the

recording of the articles and the order the merger or consolidation shall take effect as hereinafter provided in this act. However the court shall not approve articles of merger or articles of consolidation presented by or on behalf of an educational or nonsectarian charitable corporation unless and until the court shall receive the approval or recommendation of the state council of education or the Department of Welfare as the case may be in a manner similar to that prescribed by this act in the case of the formation of such corporations.

Section 808 Recording of articles of merger or consolidation after the court shall have approved the articles of merger or articles of consolidation as required by the preceding section the prothonotary shall transmit the articles approved by the court to the office of the recorder of deeds of the county where they shall be recorded. The laws of the jurisdiction of the surviving corporation shall also be compiled with if the surviving corporation is a foreign nonprofit corporation. Upon the recording of the articles the merger or consolidation shall become effective. In case the surviving or new corporation is a domestic corporation the merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation have been approved by the court and recorded as provided in this act. The articles upon being recorded shall be returned to the prothonotary who shall retain and file them as part of the records of the court and who shall issue a certified copy thereof to the surviving or new corporation as the case may be or its representative. Certified copies of articles so recorded shall be competent evidence for all purposes in the courts of this Commonwealth. In event any constituent domestic corporation to the merger or consolidation was incorporated in another county the aforesaid prothonotary shall certify in writing to the recorder of deeds of such other county the fact of such merger or consolidation and the recorder of deeds of such other county shall record such certificate.

Section 809 Effect of merger or consolidation upon the merger or consolidation becoming the plan of merger or consolidation shall be. A effective the several corporations parties to single corporation which in the case of a merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of a consolidation shall be the new corporation provided for in the plan of consolidation. The separate existence of the corporation parties to the plan of merger or consolidation shall cease except that of the surviving corporation in the case of a merger the surviving or new corporation as the case may be if it be a domestic corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise all the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions for membership and other choses in action belonging to any of them shall be transferred to and vested in such surviving or new corporation as the case may be without further act or deed. The surviving or new corporation shall be responsible for all the liabilities and obligations of each of the corporations merged or consolidated but the liabilities of the merging or consolidating corporations or of their members directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place. If in the case of a merger the articles of [incorporation] merger shall set forth any matters with respect to which the articles

of incorporation of [the] a surviving domestic corporation are to be amended. The articles of incorporation of such corporation shall be deemed to be amended accordingly upon the recording of the articles of merger and the order of the court in the case of a consolidation resulting in a new domestic corporation the articles of consolidation shall be deemed to be the articles of incorporation of [the] such new corporation. Any devise bequest gift or grant contained in any will or other instrument in trust or otherwise made before or after such merger or consolidation to or for any of the constituent corporations shall inure to the surviving or new consolidated corporation as the case may be.

Section 8 Clause (6) of section nine hundred four of said act is hereby amended to read as follows:

Section 904 Application for a Certificate of Authority. The foreign nonprofit corporation or its representative shall deliver to the Department of State a copy of its articles and all amendments thereto duly certified by the proper public officer of the state or country of its incorporation or if the corporation is created by a special law and has no articles a duly certified copy of such law a certified translation of any part of such articles amendments or law which is in a foreign language proof of the advertisement heretofore required by this article and an application for a certificate of authority executed under the seal of the corporation and signed and certified by at least two duly authorized officers thereof which shall set forth

\* \* \* \* \*

(6) [The character and nature] A brief statement of the business it proposes to do within this Commonwealth.

Section 9 The act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1045) entitled "An act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to change alter and amend by by-law such provisions of their charters as are purely administrative and validating such changes alterations and amendments heretofore made" is hereby repealed.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 399

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 399.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50 -

Barr,	Geltz.	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelr,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 400, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing the requirements of and effect of notice to shareholders in certain cases further limiting the use of certain words in corporate names defining the term of office of the first directors changing provisions relating to the inception of corporate existence or authority to do business changing the requirements of contents of articles of incorporation and application for certificates of authority providing for indemnification of directors and officers and other persons of certain expenses making certain changes relating to officers assistant officers and agents the determination of shareholders of record cancellation of acquired shares advertising in connection with articles of amendment issuance and redemption of shares amendment of articles of incorporation merger and consolidation providing for the domestication of foreign corporations and eliminating the filing of affidavit of paid-in capital and clearance certificates in certain cases.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section eight of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended by adding at the end thereof two new subsections to read as follows:

Section 8 Notice of Meetings

\* \* \* \* \*

D Whenever the language of a proposed resolution is

included in a written notice of a meeting of shareholders of a business corporation the shareholders' meeting considering the resolution may adopt it with such clarifying or other amendments as do not enlarge its original purpose without further notice to shareholders not present in person or by proxy

E Whenever by this act written notice is required to be given to shareholders of a business corporation of a proposal to be considered at a meeting of shareholders such notice unless waived shall be given at least sixty days before such meeting in any case where the proposal would increase either the aggregate par value of shares of all classes having par value which the corporation is authorized to issue or the aggregate number of shares of all classes without par value which the corporation is authorized to issue provided however that this subsection shall not apply to (1) an increase by virtue of which issued shares of a corporation are changed into a greater equal or smaller number of shares of the same or a different class or classes whether with or without par value and if with par value whether with a greater equal or smaller aggregate par value through the issuance of dividends in shares of the corporation or otherwise provided that if the stated capital applicable to such issued shares is thereby increased surplus equal to the amount of such increase is at or before such increase transferred to stated capital (2) a change of unissued shares with par value into an equal or smaller number of shares without par value or (3) a change of unissued shares without par value into an equal or smaller number of shares with par value

Section 2 Subsection A of section two hundred two of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 937) is hereby further amended to read as follows

Section 202 The Corporate Name A The corporate name may be in any language but must be expressed in English letters or characters and shall contain the word "corporation" "company" or "incorporated" or an abbreviation thereof except that the word "company" or the abbreviation "Co" may not be used where that word or abbreviation is immediately preceded by the word "and" or any symbol or substitute therefor unless the word "incorporated" or any abbreviation thereof immediately follows the word "company" or the abbreviation "Co" The corporate name shall not imply that the corporation is a governmental agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking the Public Utility Commission or of the Insurance Department and shall not contain the word "bank" "banking" "bankers" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "benevolent" "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" "Commonwealth" "United States" or "Federal" except where the use of such words by ordinary and common interpretation could not imply that the corporation is a governmental agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking the Public Utility Commission or of the Insurance Department nor shall the corporate name contain the word "college" or "university" when used in such a way as to give the impression that it is an educational institution conforming to the standards and qualifications prescribed by the State Council of Education unless there be submitted a certificate from the State Council of Education certifying that the corporation or proposed corporation is entitled to use such designation [Provided however That the word "State" "Commonwealth" "United States" or "Federal" may be used if such use does not imply that the corporation is a governmental agency of the Commonwealth or of the United States] provided however that the word college may be used when immediately preceded by the word "business" without certification from the State Council of Education

Section 3 Clauses (3) (8) and (9) of section two hundred four section two hundred five section two hundred seven subsection A of section two hundred eight and section two hundred ten of said act are hereby amended to read as follows

Section 204 Articles of Incorporation Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least two of them before any officer within or without this Commonwealth authorized to take acknowledgments and shall set forth in the English language

\* \* \* \* \*

(3) A [precise and accurate] statement of the purpose or purposes for which the corporation is organized and that it is organized under the provisions of this act

\* \* \* \* \*

(8) The [amount of paid-in capital] value of property with which the corporation will begin business [which shall not be less than five hundred dollars (\$500) in cash]

(9) The names of the first directors their post office addresses [and their terms of office] including street and number if any who shall serve until the first annual meeting

Section 205 Advertisement The incorporators shall advertise their intention to file articles of incorporation with the Department of State one time in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any designated by the rules of the court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the initial registered office of the corporation is to be located where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient advertisements shall appear at least three days prior to the day the articles of incorporation are filed with the Department of State and shall set forth briefly

(1) The name of the proposed corporation

(2) A statement that the proposed corporation is to be organized under the provisions of this act

(3) The purpose or purposes of the proposed corporation [and]

(4) The time when the articles will be filed with the Department of State

(5) The names and addresses of the incorporators

Section 207 Effect of [Issuance] Approval of [Certificate] articles of Incorporation Upon the [issuance] approval of the [certificate] articles of incorporation by the Department of State the corporate existence shall begin and those persons who subscribe for shares prior to the issuance of the certificate approval of the articles of incorporation or their assignees shall be shareholders in the corporation The certificate of incorporation shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

Section 208 Conditions Precedent to Beginning Business Penalty for Violation of Section A A corporation formed under this act shall not incur any indebtedness or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscriptions to or the payment for its shares until

[(1) The amount of capital] the value of property with which it will begin business as stated in the articles has been fully paid [and] or received

[(2) There has been filed with the department of State an affidavit signed by at least a majority of the board of directors stating that the amount of capital with which it will commence business as stated in the articles has been fully paid in]

Section 210 Organization Meetings After the [issuance] approval of the [certificate] articles of incorporation the

first meeting of the shareholders shall be held within or without this Commonwealth at the call of the shareholders who were the incorporators or a majority of them for the purpose of adopting by-laws unless the articles provide that by-laws shall be adopted by the board of directors and for such other purposes as shall be stated in the notice of the meeting. The persons calling the meeting shall give to each shareholder at least ten days' written notice of the time place and purpose or purposes of the meeting.

After the [issuance] approval of the [certificate] articles of incorporation an organization meeting of the board of directors named in the articles shall be held either within or without this Commonwealth at the call of a majority of the directors for the purpose of adopting by-laws if the articles authorize the directors to adopt by-laws of electing officers and of transacting such other business as may come before the meeting. The directors calling the meeting shall give at least five days' written notice to each director named in the articles of the time and place of the meeting.

Section 4 Section four hundred one of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 401 Board of Directors The business and affairs of every business corporation shall be managed by a board of at least three directors who shall be natural persons of full age and who need not be residents of this Commonwealth or shareholders in the corporation unless the articles or by-laws so require. Each director shall hold office for the term for which he is elected and until his successor shall have been elected and qualified. The names [and terms of office] of the first directors their post office address including street and number if any who shall serve until the first annual meeting shall be stated in the article. Except as hereinafter provided in this article in the case of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders. A business corporation may allow compensation to its directors for their services and a director may also be a salaried officer of the corporation.

Section 5 Sections four hundred two and four hundred three of said act are hereby amended to read as follows

Section 402 Number Qualifications and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors may be prescribed from time to time by the by-laws. Except as otherwise provided in the by-laws

(1) A director shall be elected for a term of at least one year except that the first directors shall serve only until the first annual meeting.

(2) The number of directors shall be the same as that stated in the articles.

(3) Vacancies in the board of directors shall be filled by a majority of the remaining members of the board though less than a quorum and each person so elected shall be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto.

(4) The meetings of the board of directors may be held at such place within this Commonwealth or elsewhere as a majority of the directors may from time to time appoint or as may be designated in the notice calling the meeting.

(5) A majority of the directors in office shall be necessary to constitute a quorum for the transaction of business and the acts of a majority of the directors present at a meeting at which a quorum is present shall be the acts of the board of directors. Provided That if all the directors shall severally or collectively consent in writing to any action to be taken by the corporation such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors.

(6) The board of directors may by resolution adopted by a majority of the whole board delegate two or more of its numbers to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board of directors in the management of the business of the corporation.

Section 403 Classification of Directors If the articles or by-laws of a business corporation so provide the directors of the corporation may be classified in respect to the time for which they shall severally hold office except that the first directors shall serve only until the first annual meeting. In such case each class shall be as nearly equal in number as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than four years.

Section 6 Section four hundred six of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 406 Officers and Agents Every business corporation shall have a President a Secretary and a Treasurer and may have such other officers and assistant officers and agents as it shall authorize from time to time the articles or by-laws may prescribe special qualifications for such officers the president and secretary shall be natural persons of full age the treasurer however may be a corporation but if a natural person shall be of full age [the officers assistant officers and agents shall be elected or appointed either by the Board of Directors or by the shareholders. At such time in such manner and for such terms and compensation as the by-laws may prescribe] unless the articles or by-laws provide otherwise the Board of Directors shall elect or appoint and fix the compensation of such officers assistant officers and agents such officers assistant officer and agents shall be elected or appointed at such time in such manner and for such terms as the by-laws shall prescribe it shall not be necessary for the officers to be directors if the by-laws so provide any two or more office may be held by the same person except the offices of President and Secretary. The Board of Directors may secure the fidelity of any or all of such officers by bond or otherwise unless otherwise provided in the by-laws the Board of Directors shall have power to fill any vacancies in any office occurring from whatever reason all officers and agents of the corporation as between themselves and the corporation shall respectively have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the Board of Directors.

Section 7 Article four of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 410 Indemnification of Directors Officers and Other Persons Unless the articles provide otherwise a business corporation shall have power to indemnify any and all of its directors or officers or former directors or officers or any person who may have served at its request as a director or officer of another corporation in which it owns shares of capital stock or of which it is a creditor against expenses actually and necessarily incurred by them in connection with the defense of any action suit or proceeding in which they or any of them are made parties or a party by reason of being or having been directors or officers or a director or officer of the corporation or of such other corporation except in relation to matters as to which any such director or officer or former director or officer or person shall be adjudged in such action suit or proceeding to be liable for negligence or misconduct in the performance of duty such indemnification shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any by-law agreement vote of shareholders or otherwise.

Section 8 Section five hundred eight of said act is hereby amended to read as follows

Section 508 (Voting Shares Held by Corporation) [a] Any corporation owning shares in another corporation may vote the same by [its president] any of its officers or by proxy appointed by [him] any such officer unless some other person by resolution of its board of directors shall be appointed [to vote such shares] if general or special proxy in which case such person shall be entitled to vote the shares [upon the production of a certified copy of such resolution] Shares of its own capital stock belonging to a corporation shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares for voting purposes at any given time but shares of its own capital stock held by it in a fiduciary capacity may be voted and shall be counted in determining the total number of outstanding shares at any given time

Section 9 Section five hundred nine of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 509 Determination of Shareholders of Record Unless the by-laws otherwise provide the Board of Directors may fix a time not [less than ten or] more than seventy days prior to the date of any meeting of shareholders or the date fixed for the payment of any dividend or distribution or the date for the allotment of rights or the date when any change or conversion or exchange of shares will be made or go into effect as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting or entitled to receive payment of any such dividend or distribution or to receive any such allotment of rights or to exercise the rights in respect to any such change conversion or exchange of shares in such case only such shareholders as shall be shareholders of record on the date so fixed shall be entitled to notice of and to vote at such meeting or to receive payment of such dividends or to receive such allotment of rights or to exercise such rights as the case may be notwithstanding any transfer of any shares on the books of the corporation after any record date fixed as aforesaid The Board of Directors may close the books of the corporation against transfers of shares during the whole or any part of such period and in such case written or printed notice thereof shall be mailed at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the corporation or supplied by him to the corporation for the purpose of notice while the stock transfer books of the corporation are closed no transfer of shares shall be made thereon unless a record date is fixed by the by-laws or the Board of Directors for the determination of shareholders entitled to receive notice of or vote at a shareholders' meeting Transfers of shares which are transferred on the books of the corporation within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting

Section 10 Section five hundred thirteen of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1123) is hereby further amended to read as follows

Section 513 Informal Action by Shareholders Except for the action required by subsection E of section eight or section three hundred nine of this act to be taken at a meeting of shareholders held after sixty days' notice [for increasing the authorized capital stock or indebtedness of a corporation] any action required by this act to be taken at a meeting of the shareholders of a corporation may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the corporation

Section 11 Sections six hundred one and subsection B of section six hundred two of said act are hereby amended to read as follows

Section 601 Classes of Shares Every business corporation shall have power to create and issue one or more classes or kinds of shares any or all of which classes

or kinds may consist of shares with par value or shares without par value with full limited or no voting rights and with such designations preferences qualifications privileges limitations options conversion rights and other special rights as shall be stated or authorized in the articles Any shares subject to redemption shall be redeemable only pro rata or by lot or by such other equitable method as is selected by the board of directors Shares of a business corporation shall be deemed personal property Except as otherwise provided by the articles each share shall be in all respects equal to every other share Unless the articles or by-laws otherwise provide the board of directors shall have the power by resolution duly adopted to issue from time to time in whole or in part the kinds or classes of shares authorized in the articles The power to increase or decrease or otherwise adjust the stated capital of a corporation as in this act elsewhere provided shall apply to all or any such classes or kinds of shares authorized by this section

Section 602 Issuance of Certain Shares in Series

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B If the articles shall expressly vest authority in the board of directors then to the extent that the articles shall not have establish series and fixed and determined the variations in the relative rights and preferences as between series the board of directors shall have authority by resolution to divide any or all of such classes into series and within the limitations set forth in this section fix and determine the relative rights and preferences of any series so established and to change redeemed or reacquired shares of one series thereof into shares of another series Such authority of the board of directors shall be subject to such limitations if any as are stated in the articles and shall always be subject to the limitation that the board of directors shall not create a sinking fund in respect of any series unless provision for a sinking fund at least as beneficial to all issued and outstanding shares of the same class shall either then exist or be at the same time created

Section 12 Subsection C of section seven hundred five and subsection C of section seven hundred six of said act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) are hereby further amended to read as follows

Section 705 Redemption and Cancellation of Shares

\* \* \* \* \*

C The statement shall be delivered to the Department of State either prior to or within thirty days after the date of such redemption and cancellation [together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law] If the Department of State finds that the statement conforms to law [and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form] it shall upon payment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement The filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

Section 706 Reduction of Stated Capital Without Change in Share Structure

\* \* \* \* \*

C The statement shall be delivered to the Department of State [together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law] If the Department of State finds that such statement conforms to law [and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form] it shall upon pay-

ment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement Upon the filing of such statement the reduction shall be effective

Section 13 Article seven of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 708 Cancellation of shares acquired by corporation

A whenever any business corporation shall have acquired any shares of any class of its own capital stock either pursuant to the power granted it by subdivision (7) of section 302 of this act or by the surrender of such shares to the corporation on the conversion thereof into or the exchange thereof for other shares pursuant to its articles of incorporation it may by resolution of its board of directors cancel any or all of such shares if the resolution so provides such corporation may thereby reduce the number of shares of the class so cancelled which the corporation is authorized to issue by the number of shares so cancelled if the articles of incorporation prohibit the reissue of such shares such resolution shall so provide Such corporation may apply to such cancellation an amount out of its stated capital which shall not be greater than that portion of the stated capital represented by such shares at the time of such cancellation and the stated capital of the corporation shall be deemed to be reduced to this extent

B In every such case a statement of cancellation shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation and the address of its registered office

(2) The aggregate number of shares which the corporation had authority to issue itemized by classes and series

(3) The number of shares cancelled itemized by classes and series

(4) A copy of the resolution of the board of directors directing such cancellation which shall recite either the provision of the articles of incorporation prohibiting the reissue of such shares or the absence of such provision

(5) The number of shares which the corporation has authority to issue itemized by classes and series after giving effect to such cancellation

(6) A statement of the aggregate number of issued shares itemized by classes par value of shares shares without par value and series if any within a class after giving effect to such cancellation

(7) A statement expressed in dollars of the amount of stated capital and the amount of the paid-in surplus of the corporation after giving effect to such cancellation

(8) Either a statement that at the time or times when the shares cancelled were acquired by the corporation the net assets of the corporation were not less than its stated capital and that their acquisition did not reduce its net assets below its stated capital or a statement that the cancelled shares were surrendered to the corporation on the conversion thereof into or the exchange thereof for other shares pursuant to its articles of incorporation

C The statement shall be delivered to the Department of State within thirty days after the adoption of the resolution aforesaid if the Department of State finds that the statement conforms to law it shall endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement if the resolution aforesaid provided for a reduction in the number of shares which the corporation is authorized to issue the filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so cancelled which the corporation is authorized to issue by the number of shares so cancelled otherwise the shares so cancelled shall upon such filing have the status of authorized but unissued shares nothing contained in this section shall be construed to prohibit a reduction of

authorized capital stock or a reduction of stated capital in any other manner permitted by this act

Section 14 Sections eight hundred one and eight hundred two of said act are hereby amended to read as follows

Section 801 Amendment of Articles Authorized A business corporation in the manner hereinafter provided in this article may from time to time amend its articles

(1) To adopt a new name subject to the restrictions heretofore provided in this act

(2) To modify any provisions thereof limiting its term of existence by increasing such term or to remove such provision and provide for perpetual existence

(3) To change add to or diminish its powers or purposes or to set forth different or additional powers or purposes

(4) To increase or diminish its authorized capital stock or to reclassify the same by changing the number par value designations preferences or relative participating optional or other special rights of the shares or the qualifications limitations or restrictions of such rights or by changing shares with par value into shares without par value or shares without par value into shares with par value either with or without increasing or decreasing the number of shares [and in any and as many other respects as desired provided that the articles as so amended would be authorized by this act as original articles of incorporation]

(5) In any and as many other respects as desired provided that the articles as so amended would be authorized by this act as original articles of incorporation

Section 802 Proposal of Amendments Every amendment to the articles shall [first] be proposed by either the board of directors by the adoption of a resolution setting forth the proposed amendment [and directing] or by petition of the holders of not less than ten per cent of the shares entitled to vote thereon setting forth the proposed amendment which petition shall be directed to and filed with the board of directors In either case the board of directors shall direct that it be submitted to a vote of the shareholders entitled to vote thereon at a designated meeting which may be either an annual meeting of the shareholders or a special meeting of the shareholders entitled to vote on the amendment The resolution or petition shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as read as therein set forth in full or that the matter stated in the resolution or petition be added to or stricken from the articles

Section 15 Section eight hundred three of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 803 Notice of shareholders' meetings written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering proposed amendments be given to each shareholder of record except [the written notice of any proposed amendment for increasing the authorized capital stock of the corporation (where such increase will involve an increase in the stated capital or paid-in surplus or both) shall be given to each shareholder of record at least sixty days before such meeting] that such notice shall be given sixty days before meetings called to consider proposals sixty days' notice of which is required by section eight E of the act such notice shall set forth the proposed amendment or a summary of the changes to be effected thereby

Section 16 Section eight hundred six of said act is hereby amended to read as follows

Section 806 Articles of amendment after an amendment has been adopted by the shareholders articles of amendment shall be executed under the seal of the corporation and verified by two duly authorized officers of the corporation and shall set forth

(1) The name and location of the registered office of the corporation

(2) The act of assembly under which the corporation

was formed and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the shareholders of the corporation at which the amendment was adopted and the kind and period of notice given to the shareholders

(4) The number of shares outstanding the number of shares entitled to vote on the amendment and if the shares of any class are entitled to vote as a class then the number of shares of each class and the number of shares of all other classes entitled to vote thereon

(5) The number of shares voted for and against such amendment respectively and if shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against such amendment respectively.

(6) The amendment adopted by the shareholders which shall be set forth in full

(7) If the total number of shares is to be increased or decreased the total number of shares including those previously authorized which the corporation will thenceforth be authorized to have the number of shares that have a par value thereof and the number of shares that have no par value and if shares are divided into more than one class a description of the classes and a statement of the number of shares in each class and of the relative rights voting powers preferences and restrictions granted to or imposed upon the shares of each class

Section 17 Section eight hundred seven of said act as amended by the act approved the second day of May one thousand nine hundred forty-seven (P. L. 137) is hereby further amended to read as follows

Section 807 Advertisement before or after an amendment has been adopted by the shareholders The corporation shall advertise its intention to file articles of amendment with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation advertisements shall appear at least three days prior to the day upon which the articles of amendment are presented to the Department of State and shall set forth briefly

(1) The name and location of the registered office of the corporation

(2) A statement that the articles of amendment are to be filed under the provisions of this act

(3) The nature and character of the proposed amendment

(4) The time when the article of amendment will be filed with the Department of State

Section 18 Sections eight hundred nine nine hundred two and nine hundred three of said act are hereby amended to read as follows

Section 809 Effective Date of Amendment Upon the [issuance] approval of the [certificate] articles of amendment by the Department of State the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action in favor of or against the corporation or any pending suit in which the corporation shall be a party or the existing rights of persons other than shareholders and in the event the corporate name shall be changed by the amendment no suit brought by or against the corporation under its former name shall be abated for that reason

Section 902 Approved of Joint Plan of Merger or Consolidation A The board of directors of each of the domestic corporations which desire to merge or consolidate shall by resolution adopted by at least a majority vote of all the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and mode of carrying the same into effect the manner and basis of converting the shares of each corporation into shares or other securities or obligations of the surviving or new

corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each domestic corporation upon approving such plan of merger or plan of consolidation shall by resolution direct that the plan be submitted to a vote of the shareholders of such corporation entitled to vote thereon at an annual or special meeting of the shareholders Written notice shall not be less than ten days before such annual or special meeting be given to each shareholder of record of such corporation whether or not entitled to vote on such plan unless the plan of merger or plan of consolidation contemplates an increase in the aggregate of the authorized capital stock of the constituent corporations in which event sixty days' notice of such meeting shall be given to each shareholder The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice

C The plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least the majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating domestic corporations unless any class of shares of any of such corporations is entitled to vote thereon as a class in which event as to such corporation the plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote thereon as a class and the affirmative vote of the holders of at least a majority of all outstanding shares entitled to vote thereon

D The plan of merger or consolidation shall be authorized adopted or approved by each of the foreign corporations which desire to merge or consolidate in accordance with the laws of the jurisdiction in which it was formed

Section 903 Articles of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the [shareholders of the] corporations desiring to merge or consolidate as provided in the preceding section articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation signed and verified by two duly authorized officers of each corporation and shall set forth

(1) The name and the location of the registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with such state

(2) The time and place of the meeting of the shareholders of each domestic corporation at which the plan of merger or consolidation as the case may be was adopted the kind and period of notice given to the shareholders and the total vote by which the plan was adopted

(2.1) The fact that the plan of merger or consolidation was authorized adopted or approved as the case may be by each of the foreign corporations in accordance with the laws of the jurisdiction in which it was formed

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation if the new corporation be A domestic corporation all of the statements required by this act to be set forth in original articles in the case of the formation of a corporation

(4) The number names and addresses of the persons to be the first directors of the surviving or new corporation

(5) The plan of merger or consolidation

(6) If the surviving or new corporation is to be a foreign corporation a designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of such corporation upon whom may be served all lawful process in any action or proceeding against it for enforcement against it of any obligation of any constituent domestic corporation or any obligation arising from the merger or consolidation proceedings or any action or proceeding to determine and enforce the rights of any shareholder under the provisions of section

nine hundred eight of this act and an agreement that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on such corporation and that the authority for such service of process shall continue in force as long as any of the aforesaid obligations and rights remain outstanding in this Commonwealth

Section 19 Section nine hundred four of said act as last amended by the act approved the second day of May one thousand nine hundred forty-seven (P. L. 141) is hereby further amended to read as follows

Section 904 Advertisement [Each] The constituent [corporation subject to the provisions of this act] domestic corporations shall advertise [its intention] their intentions to file articles of merger or articles of consolidation as the case may be with the Department of State in newspapers published in the counties in which the registered offices of the corporation are located in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

(1) The name and location of the registered office of each of the corporations intending to merge or consolidate

(2) The name and the location of the proposed registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with the state

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new corporation

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 20 Section nine hundred five of said act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows

Section 905 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State except that no such certificate shall be required of the surviving corporation in cases of merger If the Department of State finds that such articles conform to law and that the certificate or certificates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and file the articles and issue to the surviving or new corporation or its representative a certificate of merger or a certificate of consolidation as the case may be to which shall be attached a copy of the approved articles

Section 21 Sections nine hundred six and nine hundred seven of said act are hereby amended to read as follows

Section 906 Effective Date of Merger or Consolidation Upon the [issuance] approval of the [certificate] articles of merger or the [certificate] articles of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving corporation except as against the Commonwealth The merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation

have been adopted and filed as heretofore provided in this act

Section 907 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single corporation which in the case of a merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of a consolidation shall be the new corporation provided for in the plan of consolidation The separate existence of all corporations parties to the plan of merger or consolidation shall cease except that of the surviving corporation in the case of a merger The surviving or new corporation as the case may be if it be a domestic corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions to shares and other choses in action belonging to any of them shall be taken and deemed to be transferred to and vested in the surviving or new corporation as the case may be without further act or deed The surviving or new corporation shall thenceforth be responsible for all the liabilities and obligations of each of the corporations so merged or consolidated but the liabilities of the merging or consolidating corporations or of their shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place in the case of a merger the articles of incorporation of the surviving corporation shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements which are set forth in the articles of consolidation and if the new corporation be a domestic corporation which are required or permitted to be set forth in the articles of incorporation of corporations formed under this act shall be deemed to be the articles of incorporation of the new corporation The aggregate amount of the net assets of the merging or consolidating corporations which was available for the payment of dividends immediately prior to such merger or consolidation to the extent that the value thereof is not transferred to stated capital by the issuance of shares or otherwise shall continue to be available for the payment of dividends by such surviving or new corporation

Section 22 Subsections A and B of section nine hundred eight of said act as amended by the act approved the thirty-first day of March one thousand nine hundred forty-one (P. L. 13) are hereby further amended to read as follows

Section 908 Rights of Dissenting Shareholders A If any shareholder of a domestic corporation which becomes a party to a plan of merger or consolidation shall file with such corporation prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall also make written demand on the surviving or new corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new corporation shall pay to such shareholders the fair value of his shares upon surrender of the share certificate or certificates representing his shares The demand of the shareholder shall state the

number and class of the shares owned by him Unless a shareholder files such written objection and also makes such demand within the twenty-day period he shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon between the dissenting shareholder and the surviving or new corporation payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or certificates representing his shares Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the corporation

B If within such period of thirty days the shareholder and the surviving or new corporation do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the surviving or new corporation is situated if it be a domestic corporation or if it be a foreign corporation to the court of common pleas in equity within the county in which was situated the registered office of the corporation on which such petitioner was a shareholder which shall be deemed to be the county in which the cause of action of such petitioner arose and all process in such proceeding shall be served upon the surviving or new foreign corporation as provided in section one thousand eleven of this act for the appointment by the court of three disinterested persons to appraise the fair value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the surviving or new corporation unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new corporation of the share certificate or certificates representing the shares of the dissenting shareholder If the award shall not be paid by the surviving or new corporation within thirty days after the order of the court thereon the amount of the award shall be a judgment against the surviving or new corporation as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new corporation Such shares may be held and disposed of by the surviving or new corporation as it may see fit Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof

Section 23 Article nine of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 909 Domestication of Foreign Corporations A Any foreign business corporation holding a certificate of authority to do business in this Commonwealth may become a domestic corporation of this Commonwealth by delivering or causing to be delivered to the Department of State articles of domestication If the Department of State finds that the articles conform to law it shall forthwith endorse its approval thereon and when all bonus fees and charges have been paid as required by law shall file the articles and issue to the foreign corporation a certificate of domestication to which shall be attached a copy of the articles The articles upon being approved and filed by the Department of State shall constitute the charter of

the domesticated foreign corporation and it shall thereafter have all the powers and privileges and be subject to all the duties and limitations granted and imposed upon domestic corporations under the provisions of this act

B If such articles are for the domestication of a foreign business corporation for the transaction of any business in which a corporation may not engage without the approval of or a license from any department board or commission of the Commonwealth the Department of State shall upon the approval of the certificate of domestication promptly certify the fact of such domestication to each such department board or commission setting forth the name of the corporation and post office address of the initial registered office in this Commonwealth the date of approval of the certificate of domestication the purpose or purposes for which the corporation is organized and the names and addresses of the then officers of such corporation

C The articles of domestication shall be signed and acknowledged by the president of the corporation attested by its secretary with its corporate seal thereto affixed and shall set forth in the English language

(1) The name of the corporation unless the name is in a foreign language in which case it shall be set forth in English letters or characters

(2) The location and post office address of its initial registered office in this Commonwealth

(3) A statement of the purpose or purposes for which the corporation was organized and that upon domestication it will be subject to the provisions of this act

(4) The term for which it was originally incorporated and the term for which upon domestication it is to exist which may be perpetual

(5) The aggregate number of shares which the corporation under its foreign charter is authorized to issue the number of shares issued and outstanding thereof and the par value of each of the shares or a statement that all of the shares are without par value or if such shares are divided into classes the number of shares if any that have a par value and the par value of each share of each such class the number of shares of each class if any that are without par value and the number of shares issued and outstanding of each such class

(6) If the shares are divided into classes a description of each class and a statement of the preferences qualifications limitations restrictions and the special or relative rights granted to or imposed upon the shares of each class

(7) If the corporation is authorized to issue the shares of any preferred or special class in series a description of each series and a statement of the variations in the relative rights and preferences as between different series in so far as the same are fixed in the original articles of incorporation and a statement of any authority vested in the board of directors to establish series and fix and determine the variations in the relative rights and preferences as between series

(8) The value of property with which the corporation will begin business upon domestication

(9) The names of the present directors and their post office addresses including street and number if any

(10) The names and post office addresses including street and number if any of the present officers

(11) A statement of the legislation under which it was originally incorporated

Said articles shall be accompanied by a resolution duly certified by the secretary of the corporation adopted by a majority of the stockholders entitled to vote at any regular or special meeting of the corporation consenting to the filing of the articles of domestication and the renunciation of its original charter or articles

Section 24 Clause (7) of section one thousand four of said act is hereby amended to read as follows

Section 1004 Application for a Certificate of Authority The foreign business corporation or its representative shall deliver to the Department of State a copy of its articles and all amendments thereto duly certified by the proper public officer of the state or country of its incorporation or if the corporation is created by a special

law and has no articles a duly certified copy of such law a verified translation of any part of such articles amendments or law which is in a foreign language proof of the advertisement heretofore required by this article and an application for a certificate of authority executed under the seal of the corporation and signed and cerified by at least two duly authorized officers thereof which shall set forth

\* \* \* \* \*

(7) [The character and nature of the busiNESS it proposes to do within this Commonwealth] a brief statement of the business it proposes to do within this Commonwealth

Section 25 Section one thousand five of said act as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 1005 Issuance of Certificate of Authority A If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall forthwith but not prior to the day specified in the advertisement heretofore required in this article endorse its approval upon the application for a certificate of authority and when all bonus fees and charges have been paid as required by law shall file the application and the copy of the articles and shall issue to the corporation a certificate of authority to do business in this Commonwealth The certificate of authority shall set forth the name of the corporation the address of its registered office in this Commonwealth and the character and nature of the business it is authorized to transact in this Commonwealth or a summary thereof Upon the lissuancel approval of the application for a certificate of authority by the Department of State the corporation may do in this Commonwealth any or all of the kinds of the business referred to in the certificate of authority and no other subject however to the right of the Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be delivered to the corporation or its representative

B If the applicant corporation desires to transact any business in which a corporation may not engage without the approval of or license from any department board or commission of the Commonwealth the Department of State shall upon the [issuancel approval of the application for a certificate of authority promptly certify the fact of [thel such [issuancel approval [of such certificate of authority] to each such department board or commission setting forth the name of the corporation the name of the state or country under the laws of which it is formed the address of the proposed registered office in this Commonwealth the general character of the business it proposes to transact within Pennsylvania and the date of lissuancel approval of the application for a certificate of authority

Section 26 Subsections A and C of section one thousand seven of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-five P. L. 937) are hereby further amended to read as follows

Section 1007 Amended Certificate of Authority

A After receiving a certificate of authority a foreign business corporation may subject to the provisions of this act change its name or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority together with a copy of the amendment merger or change of name duly authenticated by the proper official of the state or country under the laws of which such corporation is organized and proof of the advertisement hereinafter required by this section [and a certificate or certificates from the proper department or departments of this Commonwealth evidencing payment by the corporation of all bonus taxes and charges as required by law] such application shall be executed under

the seal of the corporation signed and cerified by two duly authorized officers thereof and shall set forth the changes desired by the corporation

\* \* \* \* \*

C If the Department of State finds that the provisions of this article have been complied with [that the certificate evidencing payment of bonus taxes and charges is in proper form] and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application and file the application and issue to the applicant corporation an amended certificate of authority setting forth the desired changes

Section 27 Section one thousand nine of said act amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 937) is hereby further amended to read as follows

Section 1009 Merger or Consolidation of Foreign Business Corporations A Whenever a foreign business corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party to a statutory merger or consolidation permitted by the laws of the state or country under which it is organized and such corporation shall be the surviving corporation it shall forthwith file with the Department of State a copy of the articles of merger duly authenticated by the proper officers of the state or county under the laws of which such statutory merger was effected and pay to the Department of State the prescribed fee for such filing It shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this Commonwealth unless the name of such corporation be changed thereby or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth

Section 28 Section one thousand eleven point one of said act as added by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 703) is hereby amended to read as follows

Section 1011.1 Supoena to Foreign Corporations to Produce Records Service Any court having civil or criminal jurisdiction in any county of the Commonwealth may issue its subpoena with clause of duces tecum upon any foreign corporation registered to do business within the Commonwealth under this act directing such foreign corporation its proper officers agents or employees to produce before such court having jurisdiction any books papers records or documents in the possession of such foreign corporation as shall be designated in such subpoena Such subpoena with clause of duces tecum may be served upon such foreign corporation in the manner provided by this act for the service of process upon foreign corporations

Section 29 Section one thousand one hundred one of said act as last amended by the act approved the second day of May one thousand nine hundred forty-seven (P. L. 139) is hereby further amended to read as follows

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business or which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of the corporation signed and verified by a majority of the incorporators and shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of its registered office
- (3) The date of its incorporation
- (4) That the corporation has not commenced business and that none of its shares has been issued
- (5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

- (6) That no debts of the corporation remain unpaid  
 (7) That all the incorporators elect that the corporation be dissolved

The articles of dissolution shall be delivered to the Department of State If the Department of State finds that the articles conform to law it shall upon payment of the filing fee endorse its approval thereon and shall file the articles and issue a certificate of dissolution to the incorporators or their representative to which shall be attached a copy of the approved articles Upon the issuance of the certificate approval of the articles of dissolution the existence of the corporation shall cease

Section 30 Section one thousand one hundred five of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provision shall have been made therefor and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be executed under the seal of the corporation and signed and verified by two duly authorized officers of the corporation which shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of the registered office of the corporation
- (3) A statement that the corporation has theretofore delivered to the Department of State a certificate of election to dissolve and the date on which the certificate was filed by the Department of State
- (4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provision has been made therefor
- (5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests
- (6) A statement that there are no suits pending against the corporation in any court or that adequate provisions have been made for the satisfaction of any judgment or decree which may be obtained against the corporation in each such pending suit

The articles of dissolution proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that such articles conform to law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and shall file the articles and issue to the corporation or its representative a certificate of dissolution to which shall be attached a copy of the approved articles Upon the issuance of the certificate approval of the articles of dissolution the existence of the corporation shall cease

Section 31 This act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 400

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 400.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 494, as follows:

An Act to add section one thousand three hundred seventy-three point one to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of handicapped children The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after section one thousand three hundred seventy-three thereof a new section to read as follows

Section 1373.1 Readers Helpers Guides Aids Appliances Etc Reimbursement The Commonwealth shall reimburse school districts out of the moneys appropriated to the Department of Public Instruction for special education for the cost of readers helpers guides aids appliances special school books and supplies and devices for any child between the ages of six and twenty-one years of age who is blind deaf or afflicted with cerebral palsy and who is enrolled with the approval of the Department of Public Instruction in any of the public schools of the Commonwealth an amount equal to the costs of these services and equipment multiplied by the district's reimbursement fraction

No such expenditures nor purchases may be made by any school district unless in accordance with a budget submitted by the district and approved by the Department of Public Instruction The total expenditure by the Commonwealth hereunder shall not exceed seventy-five per cent of a sum which would have been expended for the tuition and maintenance of any such child in a residential school for the blind deaf or those afflicted with cerebral palsy that has been approved by the Department of Public Instruction for the education of the blind deaf or those afflicted with cerebral palsy

The services of such readers helpers and guides may be contracted and paid for by the school district irrespective of the age of the person rendering such assistance and of the employment of such person by the school district as a teacher or otherwise and of the time and place where such services are rendered

The Department of public Instruction shall establish such necessary rules regulations and standards as it may deem necessary for carrying out the provisions of this act

Section 2 The provisions of this act as well as the provisions of the section added thereby shall become effective on the first day of July one thousand nine hundred forty-nine

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 494

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 494.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 530, as follows:

An Act to amend section ten of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphan's courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" by increasing the minimum annual salaries of associate judges not learned in the law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the seventh

day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphan's courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" is hereby amended to read as follows

Section 10 The salaries or compensation of the associate judges not learned in the law of the courts of this Commonwealth shall be as follows each such associate judge shall receive six dollars (\$6) per day for every day ne may be employed in the discharge of his official duties Provided That the salary of no such associate judge shall be less than [seven hundred twenty dollars (\$720)] nine hundred dollars (\$900) annually each of said judges shall continue to be entitled to mileage as now provided by existing law

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 530

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 530.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 761, as follows:

An Act providing for the payment into the State Treasury through the Department of Revenue without escheat of certain unclaimed funds held under policies of life or endowment insurance or annuity contracts and owing to persons whose last known address was in this Commonwealth by life insurance companies doing business in this Commonwealth requiring reports of such funds by such life insurance companies requiring notices and publication by the Department of Revenue of certain

information pertaining to such unclaimed funds conferring powers and imposing duties on certain State officers boards and departments indemnifying and agreeing to hold harmless life insurance companies upon payment of such funds to the Department of Revenue providing for refunds of such funds requiring the Department of Revenue to keep certain records exempting certain unclaimed funds making certain other statutes inapplicable and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Title This act shall be known as the "Unclaimed Funds Act for Life Insurance Companies"

Section 2 Scope This act shall apply to all unclaimed funds as hereinafter defined of any life insurance company doing business in this Commonwealth where the last known address according to the records of such company of the person entitled to such funds is within this Commonwealth provided that if a person other than the insured or annuitant insured shall be entitled to such funds and no address of such person is known to such company or if it be not definite and certain from the records of such company what person is entitled to such funds then in either event it shall be presumed for the purposes of this act that the last known address of the person entitled to such funds is the same as the last known address of the insured or annuitant according to the records of such company

Section 3 Definitions The term "unclaimed funds" as used in this act shall mean and include all monies held and owing by any life insurance company doing business in this Commonwealth which shall have remained unclaimed and unpaid for seven years or more after it is established from the records of such company that such monies became due and payable under any life or endowment insurance policy or annuity contract which has matured or terminated but shall not include amounts of less than five dollars (\$5) which on the effective date of this act shall have been unclaimed and unpaid for more than ten years A life insurance policy not matured by actual proof of the prior death of the insured shall be deemed to be matured and the proceeds thereof shall be deemed to be "due and payable" within the meaning of this act if such policy is still in force when the insured shall have attained the limiting age under the mortality table on which the reserve is based Monies otherwise admittedly due and payable shall be deemed to be "held and owing" within the meaning of this act although the policy or contract shall not have been surrendered as required "Department" shall mean the Department of Revenue of this Commonwealth

Section 4 Reports Every such life insurance company shall on or before the first day of April of each year make a report in writing to the department of all unclaimed funds as hereinbefore defined held and owing by it on the 31st day of December next preceding Such report shall be signed and sworn to by an officer of such company and shall set forth (1) in alphabetical order the full name of each insured or annuitant his last known address according to the company's records and the policy numbers (2) the amount appearing from the company's records to be due on each policy or contract (3) the date such unclaimed funds became payable (4) the name and last known address of each beneficiary or other person who according to the company's records may have an interest in such unclaimed funds and (5) such other identifying information as the department may require

Section 5 Notice and Publication

(a) When the proceeds of any policy of life insurance or annuity contract shall be first reported to the department the department shall notify the persons entitled thereto of such fact by mail so far as possible and shall publish once a week for two weeks during the month of July in each year in one or more general newspapers in each county of this Commonwealth in which is located the last known address of each person appearing to be entitled to such funds a true and accurate statement containing the names addresses and amounts of money

owing to such person or for whose benefit the same is held

(b) The department if it deems it to the best interest of the Commonwealth may make such publication in a legal periodical designated by rules of court for the publication of legal notices in addition to publication in a general newspaper

(c) It shall not be obligatory upon the department to publish any item of the above described monies where the amount involved is less than fifty dollars (\$50) but publication of any such item may be made if the department thinks such publication is in the best interest of the Commonwealth

Section 6 Payment to Department of Revenue All unclaimed funds contained in the report required to be filed by section 4 of this act excepting those which have ceased to be unclaimed funds since the date of such report shall be paid over to the department on or before the following November 1st

The department shall have the power for cause shown to extend for a period of not more than one year the time within which a life insurance company shall file any report and in such event the time for publication and payment required by this act shall be extended for a like period

Section 7 custody of unclaimed funds in commonwealth insurers indemnified Upon payment of such unclaimed funds to the department the Commonwealth shall assume for the benefit of those entitled to receive the same and for the safety of the money so paid the custody of such unclaimed funds and the life insurance company making such payment shall immediately and thereafter be relieved of and held harmless by the Commonwealth from any and all liability for any claim or claims which exist at such time with reference to such unclaimed funds or which thereafter may be made or may come into existence on account of or in respect to any such unclaimed funds

Section 8 Refunds

(a) Any person legally entitled to any monies which have been paid to the department may at any time apply to the Board of Finance and Revenue for a refund of the same and upon his making proof to the satisfaction of the Board of (1) ownership or right of possession and (2) that such person shall not have made claim for or received such monies from the life insurance company under whose policy or policies or contract or contracts they were due and payable such monies shall be paid to such person on the requisition of the Board and the warrant of the Auditor General drawn on the State Treasurer in conformity therewith out of any monies in the State Treasury appropriated for the purpose with interest thereon at the rate of two per centum per annum from the date when the said monies were paid to the department to the date of refund thereof

(b) Any life insurance company which has paid to the department monies deemed unclaimed funds pursuant to the provisions of this act may make payment to any person appearing to such company to be entitled thereto and upon proof of such payment and proof of the payee's ownership or right to possession to the satisfaction of the Board of Finance and Revenue such monies shall be paid to such life insurance company on the requisition of the Board and the warrant of the Auditor General drawn on the State Treasurer in conformity therewith out of any monies in the State Treasury appropriated for the purpose or if the monies so appropriated are inadequate or if no such appropriation has been made the amount to be refunded shall be entered by the department as a credit to the account of the claimant Such credit or any part thereof shall be assignable to any other person firm association or corporation and may be used by any such assignee in payment and satisfaction of any obligation or liability then or thereafter due by such assignee to the Commonwealth of Pennsylvania

(c) Any claimant for any such refund of money under either subsection (a) or (b) of this section may appeal by petition to the court of common pleas of Dauphin

County from an adverse decision of the Board of Finance and Revenue which court shall thereupon hear such testimony as may be offered in support of the claim and determine whether or not the claimant is entitled to any refund of money and if so the amount thereof or the nature or character thereof. If the court find that he is so entitled it shall report its findings to the Board and order the making of a refund of the proper amount of money. Thereupon the refund shall be made in the manner hereinbefore provided. No such appeal shall be entertained however unless the claimant shall file with his petition an affidavit that all proof which he proposes to offer in support of the claim had been presented to the Board of Finance and Revenue before that Board acted adversely upon his claim.

(d) An appeal may be taken by either party from the judgment of the court of common pleas of Dauphin County in any action arising under the provisions of paragraph (c) of this section as in other cases.

Section 9 Records Required. The department shall keep in its office a public record of each payment of unclaimed funds received by it from any life insurance company. Such record shall show in alphabetical order the name and last address of each insured or annuitant and of each beneficiary or other person who according to the company's reports may have an interest in such unclaimed funds and with respect to each policy its number the name of the company and the amount due.

Section 10 Payments to other States. This act shall not apply to or affect any unclaimed funds which have been paid to another state or jurisdiction prior to the effective date hereof.

Section 11 Other Acts not applicable. No other statute of this Commonwealth now in force relating to escheat or payment into the State Treasury without escheat of unclaimed funds of life insurance companies shall apply to any unclaimed funds covered by this act nor shall any such statute hereafter enacted so apply unless specifically made applicable by its provisions.

Section 12 Penalties failure to make reports false oath in report.

(a) If it shall appear that any company has wilfully failed at any time to make any report required under the provisions of this act such company shall be liable to pay to the Commonwealth interest at the rate of twelve per centum per annum from the time such report should first have been made to be computed upon the value of said reportable items as finally established in any proceedings under the provisions of this act and to be recovered in such proceedings.

(b) The making of a wilful false oath in any report required under the provisions of this act shall be perjury and punishable as such according to law. If any officer or employe of any company required to make a report under the provisions of this act shall wilfully fail to make such report when and as required by this act he shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars (\$1000) or imprisonment not exceeding three months either or both in the discretion of the court.

Section 13 Bar of Statutes of Limitation. The bar of statutes of limitation and presumptions of payment shall not affect the duty of making reports and payments to the Commonwealth under the provisions of this act.

Section 14 Effective Date. This act shall take effect January 1 1950.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No 761

Mr. WALKER. Mr. President, I move that the Senate

do concur in the amendments made by the House to Senate Bill No. 761.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 762, as follows:

An Act to further amend the act approved the seventh day of June 1915 (P. L. 878) entitled as amended "An act providing for the escheat of certain property received for storage or safe-keeping or otherwise and of certain deposits of money also for the escheat of certain dividends profits debts and interest on debts of corporations companies banks national banks trust companies insurance companies limited partnerships and partnership associations doing business in this Commonwealth except building and loan associations also for the escheat of certain moneys property and estates held by persons partnerships associations or corporations in any fiduciary capacity whatsoever and the profits accretions and interest on such moneys property and estates as well as the interest thereon accrued between the date of the decree of any court ordering the distribution of such moneys property and estates and the actual distribution thereof also for the escheat of certain moneys paid into or deposited in any court of this Commonwealth or in any Federal court in and for any district within the Commonwealth or in the custody of any officer of such court and for the escheat of certain other moneys property and estates held in any manner by any person association or body corporate for the benefit of another" by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section eleven of the act approved the seventh day of June 1915 (P. L. 878) entitled as amended "An act providing for the escheat of certain property received for storage or safe-keeping or otherwise and of certain deposits of money also for the escheat of certain dividends profits debts and interest on debts of corporations companies banks national banks trust companies insurance companies limited partnerships and partnership associations doing business in this Commonwealth except building and loan associations also for the escheat of certain moneys property and estates held by persons

partnerships associations or corporations in any fiduciary capacity whatsoever and the profits accretions and interest on such moneys property and estates as well as the interest thereon accrued between the date of the decree of any court ordering the distribution of such moneys property and estates and the actual distribution thereof also for the escheat of certain moneys paid into or deposited in any court of this Commonwealth or in any Federal court in and for any district within the Commonwealth or in the custody of any officer of such court and for the escheat of certain other moneys property and estates held in any manner by any person association or body corporate for the benefit of another" as last amended by the act approved the twenty-first day of April 1921 (P. L. 223) is hereby further amended to read as follows

Section 11 The word "debtor" in this act shall include persons copartnerships associations banks national banks trust companies and other corporations who or which have received deposits of money declared dividends or profits or owed debts or interest on debts and trustees guardians committees executors administrators assignees receivers or other persons or corporations who have received and hold moneys in any fiduciary capacity whatsoever or continue to hold the same or any portion or increment thereof after the termination of the fiduciary relation and shall also include officers of courts holding funds escheatable under the provisions of this act

The word "creditor" in this act shall include persons as hereinafter defined who have made deposits of money persons to whom dividends or profit have been declared persons to whom debts and interest on debts are to have been owed or to whom property in storage or safe-keeping belongs and cestuis que trustent and beneficial owners of any property money or estate or of the profits accretions and interest thereon as hereinafter in this section defined held by any debtor as above described

The word "person" in this act shall include every person persons copartnership and unincorporated association and every company corporation bank national bank safe-deposit company trust company insurance company other than a life insurance company doing business in this Commonwealth joint-stock company or association limited partnership and partnership association doing business within this Commonwealth

The words "property" "moneys" "estate" or "estates" in this act shall include the profits accretions and interest thereon as well as interest thereon accrued or which should have accrued between the fixing of the amount of such property money or estate by the award of any court and the actual distribution thereof or at any other time and the owner of such property money or estate shall be deemed entitled to demand such profits accretions and interest for the purposes of this act notwithstanding such award and notwithstanding any settlement with or release by him

The provisions of this act shall not apply to the unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth

Section 2 This act shall take effect January 1 1950 which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 762

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 762.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 881, as follows:

An Act to facilitate vehicular traffic in the Western section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near the City of Erie in Erie County to connect with the Pennsylvania Turnpike or the Western extension thereof at such point as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes and relocations and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to co-operate with the commission and authorizing the issuance of turnpike revenue refunding bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Pennsylvania Turnpike Erie Extension Act"

Section 2 In order to facilitate vehicular traffic in the western section of the Commonwealth the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 774) is hereby authorized and empowered to construct operate and maintain a turnpike at such location as shall be approved by the Governor and the Department of Highways from a point at or near the City of Erie in Erie County thence in a general southerly direction to connect with the Pennsylvania Turnpike or the western extension thereof at such point as the Pennsylvania Turnpike Commission may decide is the most feasible and

practicable for the further extension of the Pennsylvania Turnpike system together with connecting roads tunnels and bridges and to issue turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the costs of such construction

Section 3 The turnpike revenue bonds issued under the provisions of this act shall not be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth but such bonds shall be payable exclusively from the fund herein provided therefor from tolls All such bonds shall contain a statement on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from tolls and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such bonds The issuance of turnpike revenue bonds under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment

Section 4 The following words and terms shall have the following meanings

(a) The word "commission" shall mean the Pennsylvania Turnpike Commission heretofore created by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) or if said commission shall be abolished any board commission or officer succeeding to the principal functions thereof or upon whom the powers and functions given by this act to said commission shall be given by law

(b) The word "owner" shall include all individuals co-partnerships associations or corporations having any title or interest in any property rights easements or franchises authorized to be acquired by this act

(c) The words "the turnpike" shall mean the turnpike to be constructed as hereinafter provided from a point at or near the City of Erie in Erie County thence in a general southerly direction to connect with the Pennsylvania Turnpike or the western extension thereof at such point as the Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and shall be deemed to include not only the turnpike and all connecting roads tunnels and bridges connected therewith but also all property rights easements and franchises relating thereto and deemed necessary or convenient for the construction or the operation thereof

(d) The term "cost of the turnpike" shall embrace the cost of constructing the turnpike and all connecting roads tunnels and bridges the cost of all lands property rights rights of way easements and franchises acquired which are deemed necessary or convenient for such construction the cost of all machinery and equipment financing charges interest prior to and during construction and for one year after completion of construction cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative and legal expense and such other expenses as may be necessary or incident to the financing herein authorized the construction of the turnpike and connecting roads tunnels and bridges the placing of the same in operation and the condemnation of property necessary for such construction and operation Any obligation or expense contracted for by the commission with the Department of Highways of the Commonwealth of Pennsylvania or with the United States or any agency thereof for traffic surveys preparation of plans and specifications supervision of construction and other engineering administrative and legal services and expenses in connection with the construction of the turnpike or any of the connecting roads tunnels and bridges shall be regarded as a part of the cost of the turnpike and shall be reimbursed or paid out of the proceeds of the turnpike revenue bonds hereinafter authorized

Section 5 The exercise by the commission of the powers conferred by this act in the construction operation and

maintenance of the turnpike shall be deemed and held to be an essential governmental function of the Commonwealth

Section 6 The commission shall have the following powers and duties

(a) It shall maintain a principal office at such place as shall be designated by the commission

(b) The commission may contract and be contracted with in its own name

(c) The commission may sue and be sued in its own name plead and be impleaded Provided however That any and all actions at law or in equity against the commission shall be brought only in the proper courts at the county of Dauphin

(d) The commission shall have an official seal

(e) The commission shall make necessary rules and regulations for its own government and shall have power and authority to acquire own use hire lease operate and dispose of personal property real property and interests in real property and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ engineering traffic architectural and construction experts and inspectors and attorneys and such other employees as may in its judgment be necessary and fix their compensation Provided however That all contracts and agreements relating to the construction of the turnpike and connecting roads tunnels and bridges shall be approved by the Department of Highways and the turnpike and connecting roads tunnels and bridges shall be constructed under the supervision of the Department of Highways

(f) The turnpike when completed and opened to traffic shall be maintained and repaired by and under the control of the commission through the Department of Highways of the Commonwealth and all charges and costs for such maintenance and repairs actually expended by said Department of Highways shall be paid to it by the commission upon certification thereof out of tolls Such turnpike shall also be policed and operated by such force of police tolltakers and other operating employees as the commission may in its discretion employ

(g) The commission shall have authority at its own cost to provide grade separations with respect to all public roads and State highways intersected by the turnpike and to change and adjust the lines and grades thereof so as to accommodate the same to the design of such grade separation Provided however That the damages incurred in changing and adjusting the lines and grades of such public roads and State highways shall be ascertained and paid by the commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike The plan of such changes of the lines and grades of public roads shall be subject to the approval of the supervisors of the proper township and in the case of State highways subject to the approval of the Department of Highways

(h) If the commission shall find it necessary to change the site of any portion of any State highway or public road it shall cause the same to be reconstructed and retored forthwith at the commission's own proper expense on the most favorable location and in as satisfactory a manner as the original road Provided That the damages incurred in changing the location of any such road or State highway shall be ascertained and paid by the commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike The plan of such reconstruction and restoration shall be subject to the approval of the supervisors of the proper township and in the case of a State highway subject to the approval of the Department of Highways

(i) The commission shall have authority to petition the court of quarter sessions of the county wherein it situate any public road or part thereof affected by the location therein of the turnpike for the vacation relocation or supply of the same or any part thereof with the same force and effect as is now given by existing laws to the inhabitants of any township of such county and the pro-

ceedings upon such petition whether it be for the appointment of viewers or otherwise shall be the same as provided by existing law for similar proceedings upon such petitions

(j) The commission shall otherwise have all of the powers and perform all of the duties prescribed by the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 774)

(k) All public or private property damaged or destroyed in carrying out the powers granted by this act shall be restored or repaired and placed in their original condition as nearly as practicable or adequate compensation made therefor out of the funds provided under the authority of this act

Section 7 (a) Each member of the commission shall be reimbursed for the necessary expenses incurred in the performance of the duties performed under the provisions of this act

(b) All expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and no liability or obligation shall be incurred hereunder beyond the extent to which money shall have been provided under the authority of this act

(c) Before the issuance of any turnpike revenue bonds under the provisions of this act each appointed member of the commission shall execute a bond in the penalty of twenty-five thousand dollars (\$25,000) and the secretary and treasurer shall execute a bond in the penalty of fifty thousand dollars (\$50,000) each such bond to be approved by the Governor and to be conditioned upon the faithful performance of the duties of his office under the provisions of this act which bonds shall be filed in the office of the Secretary of the Commonwealth

Section 8 The commission with the approval of the Department of Highways is hereby authorized and empowered to acquire by purchase whenever it shall deem such purchase expedient any lands property rights rights of way franchises easements and other interests in lands as it may deem necessary or convenient for the construction and operation of the turnpike upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the commission and the owner thereof and to take title thereto in the name of the commission

Section 9 Whenever a reasonable price cannot be agreed upon or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown the commission is hereby authorized and empowered to acquire by condemnation in the manner hereinafter provided any lands property rights rights of way franchises easements and other property deemed necessary or convenient for the construction or the efficient operation of the turnpike or necessary in the restoration of public or private property damaged or destroyed In such event application shall be made by the commission acting through the Department of Justice or by any owner or owners to the court of common pleas of the county in which the property is located or in the case of property on the boundary lines between two or more counties then in any such counties for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General to the commission and to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been

duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such land property rights rights of way easements or franchises and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the lands property rights rights of way easements or franchises they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten days written notice of the time and place of such meeting together with a copy of said report shall be given to the commission to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty days after the filing of the report in the court the commission acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court shall either confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after the final action on the report by the court the commission acting through the Department of Justice or any person interested may demand a trial by jury from the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars (\$10) for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the commission shall be taken in the name of the commission Prior to physical entry upon the land the commission shall be under no obligation to accept and pay for any property condemned or any costs incidental to any condemnation proceedings Provided however That in any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the Commission to enter upon accept and pay for the property but neither such undertaking or security nor any act or obligation of the commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

In addition to the foregoing powers the commission and its authorized agents and employees may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass nor shall an entry for such purposes be deemed an entry under any condemnation proceedings which may be then pending Provided however That the commission shall make reimbursement for any actual damages resulting to such lands waters and premises as a result of such activities

All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania notwithstanding any contrary provision of law are hereby authorized and empowered to lease lend grant

or convey to the commission upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships other political subdivisions and municipalities or public agencies and commissions of the Commonwealth of Pennsylvania may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the affectuation of the authorized purposes of the commission including public roads and other real property already devoted to public use

Section 10 Whenever the commission decides to acquire any lands rights of way easement and franchises or interests therein by condemnation as hereinbefore provided and has tendered a bond or other security to secure the owner or owners for damages and the same has been accepted or if the acceptance of said bond has been refused and the same has been filed in and approved by the court in which such condemnation proceeding is instituted the commission shall have the right to immediate possession of the property which is the subject matter of the condemnation proceedings and may enter thereon in the name of the commission If the owner lessee or occupier of any of said premises shall refuse to remove his personal property therefrom or give up possession thereof the commission may proceed to obtain possession in the manner now provided by law for the obtaining possession by the Secretary of Highways of occupied structures

Section 11 The commission is hereby authorized to provide by resolution at one time or from time to time for the issuance of turnpike revenue bonds of the Commonwealth for the purpose of paying the cost as hereinabove defined of the turnpike which resolution shall recite an estimate of such cost The principal and interest of such bonds shall be payable solely from the special fund herein provided for such payment The bonds shall be dated shall bear interest at such rate or rates not exceeding six per centum per annum payable semiannually shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the commission and may be made redeemable before maturity at the option of the commission at such price or prices and under such terms and conditions as may be fixed by the commission prior to the issuance of the bonds Provided however That the amount of premium on any bonds shall not cause the yield to be more than six per centum per annum from the date of such bonds to the date of their redemption The bonds may be issued in series with varying provisions as to rates of interest maturity and other provisions not inconsistent with this act but all bonds of whatever series shall share ratably in the tolls hereinafter pledged as security therefor The principal and interest of such bonds may be made payable in any lawful medium The commission shall determine the form of bonds including any interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth The bonds shall bear the facsimile signatures of the Governor and of the Chairman of the commission and the facsimile of the official seal of the commission shall be affixed thereto attested by the secretary and treasurer of the commission and any coupons attached thereto shall bear the facsimile signature of the chairman of the commission In case any officer whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds such signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery All turnpike revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth The bonds may be issued in coupon or in registered form or both as

the commission may determine and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest and registered and coupon bonds shall be interchangeable The commission may sell such bonds in such manner and for such price as it may determine to be for the best interest of the Commonwealth but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six per centum per annum computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values. The proceeds of such bonds shall be used solely for the payment of the cost of the turnpike and shall be disbursed upon requisition of the chairman of the commission under such restrictions if any as the resolution authorizing the issuance of the bonds or the trust indenture hereinafter mentioned may provide If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the turnpike additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued If the proceeds of the bonds shall exceed the cost of the turnpike the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds Prior to the preparation of definitive bonds the commission may under like restrictions issue temporary bonds with or without coupons exchangeable for definitive bonds upon the issuance of the latter The commission may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost Such turnpike revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings conditions and things which are specified and required by this act

Such bonds are hereby made securities in which all state and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any state or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

Section 12 All moneys received from any bonds issued pursuant to this act shall be applied solely to the payment of the cost of the turnpike or to the appurtenant fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds or the trustee hereinafter provided for in respect of such bonds

Section 13 In the discretion of the commission such bonds may be secured by a trust indenture by and between the commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth Such trust indenture may pledge or assign tolls and revenue to be received but shall not convey or mortgage the turnpike or any part thereof Either the resolution providing for the issuance of such bonds or such trust indenture may contain such provision for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law

including covenants setting forth the duties of the commission in relation to the acquisition of properties and construction maintenance operation and repair and insurance of the turnpike and the custody safeguarding and application of all moneys. It shall be lawful for any bank or trust company incorporated under the laws of this Commonwealth to act as depository of the proceeds of the bonds or revenues and to furnish such indemnity bonds or to pledge such securities as may be required by the commission. Such indenture may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations. In addition to the foregoing such trust indenture may contain such other provisions as the commission may deem reasonable and proper for the security of bondholders. All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance operation and repair of the turnpike.

Section 14 The accomplishment by the commission of the authorized purposes stated in this act being for the benefit of the people of the Commonwealth and for the improvement of their commerce and prosperity in which accomplishment the commission will be performing essential governmental functions the commission shall not be required to pay any taxes or assessments on any property acquired or used by it for the purposes provided in this act and the bonds or other securities and obligations issued by the commission their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth.

Section 15 The commission is hereby authorized to fix and to revise from time to time tolls for the use of the turnpike and the different parts or sections thereof and to charge and collect the same and to contract with any person partnership association or corporation desiring the use of any part thereof including the right of way adjoining the paved portion for placing thereon telephone telegraph electric light or power lines gas stations garages stores hotels restaurants and advertising signs or for any other purpose except for tracks for railroad or railway use and to fix the terms conditions rents and rates of charges for such use. Such tolls shall be so fixed and adjusted as to provide a fund at least sufficient with other revenues of the turnpike if any to pay (a) the cost of maintaining repairing and operating the turnpike and (b) the bonds and the interest thereon and all sinking fund requirements and other requirements provided by the resolution authorizing the issuance of the bonds or by the trust indenture as the same shall become due. Such tolls shall not be subject to supervision or regulation by any other state commission board bureau or agency. The tolls and all other revenues derived from the turnpike except such part thereof as may be required to pay the cost of maintaining repairing and operating the turnpike and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of the bonds or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds as such interest shall fall due (2) the principal of the bonds as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds required by call or purchase as herein provided. The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds issued hereunder without distinction or priority of one over another. Subject to the provisions of the resolutions authorizing the issuance of bonds or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's

interest on all bonds then outstanding may be applied to the purchase or redemption of bonds. All bonds so purchased or redeemed shall forthwith be cancelled and shall not again be issued.

Section 16 The commission is hereby authorized to provide by resolution for the issuance of turnpike revenue refunding bonds of the Commonwealth for the purpose of refunding any turnpike revenue bonds issued under the provisions of this act and then outstanding. The issuance of such turnpike revenue refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Commonwealth and of the commission in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable and by the following provisions:

(a) No turnpike revenue refunding bonds shall be delivered unless delivered in exchange for turnpike revenue bonds to be refunded thereby except in the amount necessary to provide for the payment of matured or redeemable turnpike revenue bonds or turnpike revenue bonds maturing or redeemable within three months including any redemption premium thereon.

(b) No turnpike revenue refunding bonds shall be issued unless issued to refund turnpike revenue bonds which have matured or will mature within three months or unless the interest rate of the turnpike revenue refunding bonds shall be at least one-fourth of one per centum less than the interest rate borne by the turnpike revenue bonds to be refunded.

Section 17 Any holder of bonds issued under the provisions of this act or any of the coupons attached thereto and the trustees under the trust indenture if any except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the commission or any officer thereof including the fixing charging and collecting of tolls for the use of the turnpike.

Section 18 When all bonds and the interest thereon shall have been paid or a sufficient amount for the payment of all bonds and the interest to maturity thereon shall have been set aside in trust for the benefit of the bondholders and shall continue to be held for that purpose the turnpike and the connecting roads tunnels and bridges shall become a part of the system of state highways and shall be maintained by the Department of Highways free of tolls and thereupon the commission shall be dissolved and all funds of the commission not required for the payment of the bonds and all machinery equipment and other property belonging to the commission shall be vested in the Department of Highways.

Section 19 The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing. Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof.

Section 20 All acts and parts of acts inconsistent with this act are hereby repealed.

Section 21 This act shall become effective immediately upon its final enactment.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

# SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 881

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 881.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. M.,
Farrell,	Mallory,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

# BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 901, as follows:

An Act accepting the grants requirements and benefits of an act of the eighty-first Congress of the United States approved one thousand nine hundred forty-nine known as the Educational Finance Act of 1940 bearing public act No. 100, entitled "To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools and in reducing the inequalities of educational opportunities through public elementary and secondary schools for the general welfare and for other purposes"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Commonwealth of Pennsylvania hereby accepts the provisions of the act of Congress approved one thousand nine hundred forty-nine entitled "To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools and in reducing the inequalities of educational opportunities through public elementary and secondary schools for the general welfare and for other purposes" and cited as the "Educational Finance Act of 1949"

The Commonwealth of Pennsylvania formally accepts the provisions of said act of Congress with respect to the qualifications for the receipt of funds appropriated thereunder as herein provided

Section 2 The State Treasurer is hereby designated as the custodian of the Federal funds apportioned to the Commonwealth of Pennsylvania and shall receive money paid to the State from the United States Treasury under the provisions of said act of Congress and shall pay out the same upon the warrant of the Auditor General when the same is certified by the Superintendent of Public In-

struction and further the State Treasurer shall submit to the Superintendent of Public Instruction and to the United States Commissioner of Education on or before the first day of November of each year for transmission to the Congress a detailed statement of the amount so received for the preceding fiscal year and of its disbursement

Section 3 The State Superintendent of Public Instruction is hereby designated the "State Educational Authority" to carry out the provisions of said act so far as the same relates to the cooperation of the State and Federal governments and shall represent the State in the administration of funds received and shall have full power to take all necessary steps in the formulation of plans for the effective administration of said funds and further shall

(1) Provide for an annual audit and for the submission of a copy thereof to the United States Commissioner of Education of the expenditure of funds received under said act and for a system of reports from local public-school jurisdictions and other State public-education agencies to the Superintendent of Public Instruction

(2) Make such reports in such form and containing such information concerning the administration of said act as the Commissioner may reasonably require and give him upon request access to the records on which such reports are based

(3) Formulate and effectuate for each fiscal year beginning after June 30 1953 a plan for the apportionment of amounts paid to the State from funds appropriated pursuant to section three of said act for such fiscal year under which there will be available from all sources to each local public-school jurisdiction or other State public-education agency for current expenditures for public elementary-school and public secondary-school education an amount per pupil in average daily attendance at public elementary and secondary schools within such local public-school jurisdiction or under the jurisdiction of such State public-education agency not less than Fifty-five (\$55) dollars or in any fiscal year for which the amount to be paid to the State is less by reason of the provision of paragraph (f) of section four of said act than the amount of the Federal allotment to the State an amount which bears the same ratio to fifty-five (\$55) dollars as ninety-seven (97%) per centum of the funds appropriated for such fiscal year pursuant to section three of said act bears to the sum of all Federal allotments under section four of said act

(4) Provide for the administration of funds to be received by performing any and all acts deemed necessary to administer properly said funds.

Section 4 The Superintendent of Public Instruction is hereby granted power and authority to promulgate and to issue such rules and regulations as he shall deem necessary in order to administer effectively the funds received under said act of Congress the provisions of said act of Congress and the provisions of this act

Section 5 The Superintendent of Public Instruction shall transmit to the United States Commissioner of Education certified copies of this act and the regulations that may be issued by the Superintendent of Public Instruction in connection with such funds Any amendment of this act and revision of regulations shall in like manner be transmitted to said Commissioner

Section 6 The provisions of this act shall become effective one day after the final enactment of the Federal Act known as the Educational Finance Act of 1949

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

# SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 901

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 901.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doshla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	McHery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

# BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 291, as follows:

An Act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The word "department" as used in this act shall mean the Department of Internal Affairs

The words "domestic consumers" as used in this act shall mean those in residences apartment houses stores churches office buildings and similar edifices as distinguished from industrial plants

The words "light fuel oils" as used in this act shall mean kerosene number one fuel oil number two fuel oil number three fuel oil and any similar oil used for domestic heating as distinguished from heavy industrial oils

The word "person" as used in this act shall be construed to include any individual partnership unincorporated association corporation association agent firm representative or employee thereof

Section 2 Meter Required No person shall deliver light fuel oils to any domestic consumer unless the vehicle by which such light fuel oils are delivered is equipped with a meter of a type approved under provisions of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) as amended entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" All deliveries of light fuel oil to such consumers shall be made by the use of such a meter

Section 3 Small Deliveries Fuel oil deliveries of fifty

gallons or less may be delivered without being metered Provided That such delivery be made in standard measures of not less than five gallons capacity And provided further That only such measures as approved by provisions of the aforesaid act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) as amended be used

Section 4 Exceptions The provisions of this act shall not apply to deliveries of heavy fuel oils nor to deliveries of light fuel oils to industrial plants nor where either the entire truck tank load of light fuel oil or the entire load of light fuel oil in one compartment of the truck tank is delivered to a single domestic consumer provided such tank truck is of a type approved under provisions of the aforesaid act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) as amended

Section 5 Enforcement of Act Rules and Regulations It shall be the duty of the department and the inspectors of weights and measures

The Secretary of Internal Affairs shall have power to adopt and of the several counties and cities to enforce the provisions of this act promulgate such rules and regulations not inconsistent with the provisions of this act as may be deemed necessary to carry into effect the intent and purpose of this act

Section 6 Penalties Any person violating any of the provisions of this act shall upon summary conviction before a magistrate be sentenced for the first offense to pay a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for ten (10) days and for the second offense be sentenced to pay a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for twenty (20) days and for the third offense shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for thirty (30) days

Any person violating any of the provisions of this act for a fourth or subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than three hundred dollars (\$300.00) or suffer imprisonment for not more than sixty (60) days or both

Section 7 Effective Date The provisions of this act shall become effective the first day of September one thousand nine hundred fifty

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

# SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 291, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to House Bill No. 291, recalled from the Governor.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,

Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier.

Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.

Rosenfeld,  
Ruth,  
Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

# BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 625, as follows:

An Act to further amend subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of certain vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-

nine (P. L. 1135) is hereby further amended to read as follows

## Section 902 Size of Vehicles and Loads

\* \* \* \* \*

(c) No vehicle except [motor] buses and fire department equipment shall exceed a total maximum length including any load thereon of three hundred ninety-six (396) inches and no combination of two (2) vehicles inclusive of load and bumpers coupled together shall exceed a total maximum length of six hundred (600) inches excepting that [until but not after January first one thousand nine hundred forty-one any combination of two vehicles properly registered in this Commonwealth on the effective date of this act may be of a total maximum length not exceeding seventy (70) feet excepting further that] nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment which do not exceed seventy (70) feet [Motor] buses shall not exceed a length of four hundred twenty (420) inches except buses with toilet facilities which shall not exceed a length of four hundred eighty (480) inches provided that a bus in excess of thirty-five (35) feet in over-all length shall not have less than three (3) axles

1 No motor vehicle shall be operated upon a highway drawing or having attached thereto more than one other vehicle

2 The distance between any two vehicles one of which is towing or drawing the other shall not exceed fifteen (15) feet from one vehicle to the other except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches in length and width Every trailer while being drawn upon the highway shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than six (6) inches from the path of the drawing vehicle's wheels

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 625, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 625, recalled from the Governor.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,  
Barrett,  
Berger,  
Blass,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier.

Geltz,  
Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Meade,  
Neff,  
Pechan,  
Peelor,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Tarr,  
Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 835, as follows:

An Act limiting for forfeiture confiscation seizure condemnation or taking of certain motor vehicles used in violation of law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 A motor vehicle the unlawful use of which may be the subject of confiscation or condemnation under any law of this Commonwealth may be forfeited to or seized taken confiscated or condemned by the Commonwealth or its agencies or political subdivisions only when the registered owner thereof unlawfully uses or has knowledge of the unlawful use of such motor vehicle prior to such use The burden of proof in any action taken by the Commonwealth or its agencies or political subdivisions to confiscate or condemn any motor vehicle shall be placed upon the registered owner to show that he had no actual or constructive knowledge that the motor vehicle was being used in the commission of a crime

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed in so far as inconsistent with this act

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 835, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 835, recalled from the Governor.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wagner,
Chapman,	Homsher,	Robinson,	Wade,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 991, as follows:

An Act to further amend the act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" by defining skim milk and providing for methods of standardization of milk

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" are hereby amended to read as follow

Section 1 [Be it enacted &c That it] It shall be unlawful for any person firm or corporate body by himself herself itself or themselves or by his her its or their agents servants or employees to sell offer for sale expose for sale or have in possession with intent to sell milk which contains any added water or milk which has had the [butter-fat] butterfat or any portion thereof removed therefrom or milk to which has been added any substance for the purpose of increasing its consistency or thickness or milk which contains less than three and one-quarter (3¼) per centum of [butter-fat] butterfat and less than twelve (12) per centum of milk solids Provided however That skimmed milk when clean and wholesome or not more than one-half (½) of one (1) per centum of butterfat may be sold if sold as skimmed milk [.] and Provided further That milk may be standardized by partial skimming or by the addition of skimmed milk or by the addition of cream or milk rich in fat but in no event shall such resultant standardized milk contain less than three and one-fourth (3¼) per centum of butterfat and twelve (12) per centum total solids or more than five (5) per centum of butterfat

Section 2 [That it] It shall be unlawful for any person firm or corporate body by himself herself itself or themselves or by his her its or their agents servants or employees to sell offer for sale expose for sale or have in possession with intent to sell cream which contains or is mixed with any added condensed or evaporated milk or cream or cream to which has been added any substance for the purpose of increasing its consistency or thickness or cream which contains less than eighteen (18) per centum of [butter-fat] butterfat Provided That cream when it contains or is mixed with any added condensed or evaporated milk or cream may be sold if the vessel or container in which such cream is sold is plainly labeled stating the fact that such cream contains or is mixed with added condensed or evaporated milk or cream and the amount thereof

Section 2 Sections four five and six of said act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) are hereby amended to read as follows

Section 4 [That the] The Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act

Section 5 [That all] All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and when so collected and paid shall thereafter be by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth

Section 6 This act shall not apply to nor in any way

affect the act entitled "An act to prohibit the adulteration or coloring of milk and cream by the addition of so-called preservatives or coloring matter and to provide for the enforcement of the same" approved the tenth day of June [Anno Domini] one thousand eight hundred [and] ninety-seven and the amendment thereto approved the nineteenth day of April [Anno Domini] one thousand nine hundred [and] one entitled "An act to amend the first section of an act entitled 'An act to prohibit the adulteration or coloring of milk and cream by the addition of so-called preservatives or coloring matter and to provide for the enforcement of the same' approved the tenth day of June [Anno Domini] one thousand eight hundred [and] ninety-seven" which act shall remain in full force but all other acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 991, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 991, recalled from the Governor.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier.	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1301, on concurrence in House amendments recalled from the Governor, entitled:

An Act to add section one thousand two hundred eight point one to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter

of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations facts or circumstances.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 456, as follows:

An Act to amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by temporarily providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of nonlicensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products Providing penalties and making appropriations from the motor license fund for the payment of such reimbursements and expenses in connection therewith

Whereas On the theory that the use of highways and bridges and air transportation are the means by which revenue from taxes on motor fuels are derived the people of the Commonwealth by constitutional amendment have earmarked such revenue for public highways and bridges and air navigation facilities and

Whereas Large quantities of motor fuels are consumed in agricultural pursuits without the use of public highways or bridges or air navigation facilities and

Whereas the agriculture industry of the Commonwealth fully recognizes the importance to it of the further improvement of farm to market roads and its obligation to assume a proper share of the cost of such improvement and is appreciative of the fact that any decrease in taxes on real estate for road purposes brought about by the appropriation of liquid fuels tax funds for local road purposes amounts in some degree to an indirect reimbursement to the industry of liquid fuels taxes paid by it and

Whereas the agriculture industry of the Commonwealth takes the position that full payment of the liquid fuels tax on fuels consumed in farm equipment for the use of

public highways or bridges or air navigation facilities places an unfair and excessive burden upon the industry and

Whereas Our appellate courts have held that farmers constitute a proper classification for exemption from taxation and that there is nothing in the Constitution of Pennsylvania prohibiting the Legislature from granting them such exclusion and

Whereas Agriculture is the largest single industry of the Commonwealth and its costs of production directly affect the living costs of the average citizen and

Whereas A reduction to the farmer in the cost of producing farm products should result in a corresponding reduction to the consumer therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herei ndefined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" is hereby amended to read as follows

Section 17 Refunds The Board of Finance and Revenue may refund to distributors taxes penalties and interest paid by them on liquid fuels delivered to the United States government or paid as the result of an error of law or of fact or of both law and fact Claims for [refund] such refunds shall be made under the procedure prescribed by The Fiscal Code

Any person who shall use or buy liquid fuels on which the tax imposed by this act shall have been paid and shall consume the same in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products shall be reimbursed one-half the amount of such tax

All such claims for reimbursement shall be made upon a form to be furnished by the board of finance and revenue and shall include in addition to such other information as the board may by regulation prescribe the name and address of the claimant the period of time and the number of gallons of liquid fuels used for which reimbursement is claimed a description of the farm machinery in which such liquid fuels have been used and the purposes for which such machinery has been used the size of the farm and part thereof in cultivation on which such liquid fuels have been used each such claim shall contain statements that the liquid fuels for which reimbursement is claimed have been used only for purposes for which reimbursements are permitted that records of the amounts of such fuels used in each piece of farm machinery have been kept and that no part of such claim has been paid except as statede each such claim shall contain a declaration that it and accompanying receipts are true and correct to the best of claimant's knowledge and shall be signed by the claimant or the person claiming on his behalf Every claim shall be accompanied by receipts indicating that the fuels tax was paid on the liquid fuels for which reimbursement is claimed All records of purchases of liquid fuels and use in each tractor or powered machinery shall be kept for a period of two years Every such claim shall be made quarterly for a period represented by the preceding three months and shall be submitted to the Board of Finance and Revenue not later than the fifteenth day of April July October and January follow-

ing the end of each three-months period and the board shall refuse to consider any claim received or post-marked later than such date The claimant shall satisfy the board that he has paid the tax and that the liquid fuels have been consumed by him in the operation of a tractor or piece of powered machinery for purposes relating to the actual production of farm products The board may require any claimant to furnish such further information proof or fuller explanation as it shall deem necessary The action of the Board of Finance and Revenue in granting or refusing reimbursement shall be final The board shall deduct the sum of one dollar and fifty cents (\$1.50) which shall be considered as a filing fee from every claim for reimbursement granted Such filing fees are hereby specifically appropriated to the Board of Finance and Revenue and to the Department of Revenue for expenses of any nature whatsoever incurred in the administration of the reimbursement provisions of this act the Board of Finance and Revenue shall have the power to refer to the Department of Revenue for investigation any claim for reimbursement filed under the provisions of this act and it shall be the duty of the Department of Revenue to investigate such application and report to the Board of Finance and Revenue relative thereto Any person making any false or fraudulent statement for the purpose of obtaining reimbursement shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars (\$1000) or to undergo imprisonment for not more than six (6) months or both

All refunds and reimbursements of moneys allowed hereunder shall be paid from the Motor License Fund and the Liquid Fuels Tax Fund in amounts equal to the original distribution and payment of such moneys into said funds Provided however That reimbursement for taxes paid on liquid fuels consumed in the operation of tractors and powered machinery for purposes relating to the actual production of farm products shall be paid out of the motor license fund

As much of the moneys from time to time in the Motor License Fund and the Liquid Fuels Tax Fund as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds and reimbursements as herein authorized Estimates of the amounts to be expended from these funds for refunds and reimbursements from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine and shall apply only to liquid fuels purchased on and after said date and before the thirtieth day of June one thousand nine hundred fifty-one

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett.	Haluska.	Neff.	Taylor.
Berger.	Hare.	Pechan.	Toole.
Blass.	Holland.	Peelor.	Wade.
Chapman.	Homsher.	Robinson.	Wagner.
Crowe.	Kephart.	Rosenfeld.	Walker.
Dent.	Lane.	Ruth.	Watkins.
Diehm.	Leader.	Scarlett.	Watson.
DiSilvestre.	Letzler.	Snowden.	Wolfe.
Doehla.	Lord.	Stevenson.	Wood, L. H.
Donlan.	Mahany.	Stiefel.	Wood, T. N.

Farrell, Frazier,	Mallery, McPherson, Jr.,	Tallman,	Yosko,
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## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## THIRD READING CALENDAR

BILL ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 24, as follows:

An Act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances hereto adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Every political subdivision of this Commonwealth authorized by law to adopt zoning ordinances restricting regulating or otherwise affecting the use of real estate located within the boundaries of such political subdivision shall file a copy of any such ordinance or amendment thereto certified to be true and correct by the proper officer in the office for the recording of deeds of the county wherein the political subdivision is situate together with a map or plan of the political subdivision or part thereof clearly delineating the affected areas or zones with a brief statement of the type or kind of restriction or regulation for each area or zone

Section 2 Any zoning ordinance or amendment thereto heretofore adopted by any political subdivision shall be void and of no effect unless such political subdivision shall comply with the provisions of this act within six months of the effective date hereof No zoning ordinance hereafter adopted by any political subdivision nor amendment to an existing zoning ordinance shall become effective until the political subdivision adopting the same shall have complied with the provisions of this act

Section 3 It shall be the duty of the recorder of deeds of each county of this Commonwealth to provide a suitable "Zoning Ordinance and Map" book or books and to maintain an adequate index as part of the same in which the filed copy of any such zoning ordinance and amendments thereto together with the map or plan of the political subdivision or part thereof shall be kept The recorder of deeds shall charge the political subdivision filing the same a fee equal to the fees authorized by law for the same or similar services

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 5 The provisions of this act shall become effective immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr, Barrett, Berger,	Geltz, Haluska, Hare,	Meade, Neff, Pechan,	Tarr, Taylor, Toole,
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Blass, Chapman, Crawley, Dent, Diehm, DiSilvestro, Goehia, Donlan, Farrell, Frazier,	Holland, Homsher, Kephart, Lane, Leader, Letzler, Lord, Mahany, Mallery, McPherson, Jr.,	Peelor, Robinson, Rosenfeld, Ruth, Scarlett, Snowden, Stevenson, Stiefel, Tallman,	Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, L. H., Wood, T. N., Yosko,
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## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representative with information that the Senate has passed the same without amendments.

## BILL DROPPED FROM CALENDAR

Mr. WALKER. Mr. President, I move that Senate Bill No. 42, on third reading, entitled:

An Act prohibiting political subdivisions from imposing wage income or occupation taxes on nonresidents and abolishing such taxes heretofore imposed

be dropped from the Calendar.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

BILLS ON THIRD READING AND FINAL  
PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 103, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase condemnation lease or gift certain lands adjacent to the Daniel Boone Homestead property providing for the maintenance and improvement thereof and making an appropriation for the payment of the costs of such acquisition

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission is hereby authorized to acquire by purchase condemnation lease or gift in the name of the Commonwealth a tract or tracts of land adjoining the Daniel Boone Homestead property of the Commonwealth of Pennsylvania in Exeter Township Berks County Pennsylvania and in particular a tract comprising approximately forty acres along the southern boundary thereof for the purpose of enlarging and protecting such Daniel Boone Homestead property upon which the Commonwealth has made extensive improvements and which the Commonwealth is in the process of restoring to the original

Section 2 The Pennsylvania Historical and Museum Commission is hereby charged with the maintenance and improvement of such tract or tracts when and if acquired and for such purposes is hereby authorized to use any funds not otherwise specifically appropriated at its disposal therefor

Section 3 The sum of five thousand dollars (\$5000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the payment of the costs of acquiring such tract or tracts of land and for the payment of any additional

expenses incurred in connection therewith Payment for said appropriation shall be made by requisition of the Secretary of the Department of Property and Supplies in the manner provided by law

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 178, as follows:

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" which section was amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 160) and in part by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 720) is hereby further amended to read as follows

Section 1

\* \* \* \* \*

On and after the first day of January one thousand

nine hundred and [forty-four] forty-nine and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several municipalities within the Commonwealth and to the State Employees' Retirement Fund for State police pension and retirement purposes one-half of the net the entire amount received from the two per centum tax paid upon premiums by foreign casualty insurance companies The amounts to be distributed shall be allocated in accordance with the following formulae

Section 2 The provisions of this amendment shall apply to all moneys received from aforesaid tax in the year one thousand nine hundred forty-nine and thereafter

Section 3 The additional moneys required to be paid out of the State Treasury in compliance with this amendment on account of said tax moneys received during the year one thousand nine hundred forty-nine shall be paid as herein provided only if there are unexpended and unencumbered moneys in the General Fund at the end of the fiscal year of one thousand nine hundred forty-nine sufficient to make such payments The Governor shall with the advice of his fiscal officers make the final determination as to the availability of such moneys

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 200, as follows:

An Act establishing a State Institution Employees and Pennsylvania Liquor Control Board Officers' Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by employees of certain Pennsylvania State Institutions and officers of the Pennsylvania Liquor Control Board and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties

exempting annuities allowances returns benefits and rights from taxation and judicial processes making an appropriation and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words and phrases as used in this act shall be construed to have the following meanings

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund and standing to his credit in the fund together with the regular interest thereon

"Beneficiary" any person in receipt of a retirement allowance under this act

"Board" the State Employees' Retirement Board of the Department of State

"Contributor" any person who has accumulated deductions in the fund standing to his credit

"Employees of State Institutions" shall mean and include all employees of state penal and correctional institutions and state mental hospitals and employees of the prison industries working in state penal institutions

"Final Salary" the average annual compensation earnable by a contributor before any deductions have been made and exclusive of maintenance allowances and expenses for the five years of service immediately preceding retirement or in the event a member has not served five years the total retirement compensation earnable divided by the number of years served.

"Fund" the State Employees' Retirement Fund

"Member's Annuity" payments for life derived from contributions made by the contributor

"Officers" shall mean and include any Enforcement Officer or Investigator of the Pennsylvania Liquor Control Board who is a peace officer vested with police power and authority throughout the Commonwealth and such administrative and supervisory personnel of the Liquor Control Board vested with police power who are charged with the administration or enforcement of the liquor laws of the Commonwealth

"Liquor Control Board" shall mean the Pennsylvania Liquor Control Board

"Regular Interest" interest at the rate of four per centum (4%) compounded annually

"Superannuation Retirement Age" shall mean years of age

Section 2 State institution employees and Liquor Control Board Officers' Retirement System A retirement system is hereby established for the employees of certain state institutions and officers of the Liquor Control Board which system shall be administered by the State Employees' Retirement Board of the Department of State

Section 3 Administrative Expenses as to Liquor Control Board Officers' Retirement System The expense of the administration of this act including the payment of retirement allowances and other benefits shall be paid by the Commonwealth by biennial appropriations out of the State Stores' Fund made on the basis of estimates submitted by the Board Provided That all appropriations shall be charged to income of the Liquor Control Board derived solely from filing fees license transfer fees amusement permit fees and such license and permit fees payable to the Liquor Control Board which are not returnable to the several municipalities of the Commonwealth as to the expenses of administration of this act including payment of retirement allowances and other benefits to employees of the state institutions as defined in this act shall be paid by the Commonwealth by biennial appropriations out of general funds of the Commonwealth

Section 4 Payments into the State Employees' Retirement Fund All appropriations made by the Commonwealth out of the general Funds and out of the State Stores Fund all contributions by officers of the Liquor Control Board in the amount hereinafter specified and all interest on and increase of the investments and monies under this act shall be paid into the State Employees' Retirement Fund and shall be credited to the proper accounts in said fund as provided by law applying to said fund The Commonwealth shall on receiving the

certification of the Board periodically contribute such sums of money as the actuary shall estimate shall be required to annually meet the obligations incurred or to be incurred and to establish the reserves provided for in this act

Section 5 Rules and Regulations Actuarial Data Appropriations to the Fund The Board shall from time to time establish such rules and regulations for the administration of this act as may be deemed necessary It shall keep such data as shall be necessary for actuarial valuation purposes The actuary of the Board shall periodically make an actuarial investigation into the mortality and service experience of the contributors to and beneficiaries of the fund and shall adopt for the Retirement System one or more mortality tables and certify to the Board biennially the amount of contributions required to be made by the Commonwealth to the fund to build up and maintain adequate reserves for the payment of the State's share of the retirement allowances and other disbursements provided by this act

Section 6 Compulsory Membership Every employee of the state institutions enumerated in this act and every Officer of the Liquor Control Board shall be required to become a member of the retirement system established by this act on January first one thousand nine hundred and fifty and thereafter when first becoming an employee of any state institution is enumerated herein or an Officer of the Liquor Control Board Contributions by members under this act shall commence with the first payroll after January first one thousand nine hundred and fifty

Section 7 Commonwealth Guarantee Biennial Budgets The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the State and members' annuities in accordance with this act are hereby made obligations of the Commonwealth of Pennsylvania The Board shall prepare and submit to the budget secretary on or before the first day of November of each even-numbered year an itemized estimate of the amounts necessary to be appropriated from the State Stores Fund to complete the payments of the obligations of the Commonwealth during the fiscal biennium beginning June first of the following year

Section 8 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each contributor for each year of service rendered to the Commonwealth including all service rendered prior to January first one thousand nine hundred and fifty upon complying with the provisions of this act The time during which a contributor is absent from service without pay excepting active military service shall not be counted in computing the service of a contributor unless approved by the Board

Section 9 Payments by Contributors All contributors shall be required to contribute into the Fund at the same rate of contribution according to age as is required of State employees' contributing at the one one-hundredth (1/100) rate under the State Employees' Retirement Act Every contributor who was a member of the State Employees' Retirement System shall receive full credit under this act for all contributions made into the fund and for all service credits to which he was entitled under the State Employees' Retirement System

Section 10 Contributions by the Commonwealth The Commonwealth shall contribute from the general fund as to employees of State institutions and from the State Stores Fund as to Officers of the Liquor Control Board as hereinafter set forth from time to time sufficient monies to build up the reserves required to pay to each contributor upon superannuation retirement a State annuity equal to (a) two one-hundredth (2/100) of his final salary for each year of total service and (b) an additional State annuity which shall be equivalent to the additional member's annuity which the accumulated deductions standing to the credit of the contributor would purchase if he retired at age sixty under the State Employees' Retirement System

The amounts to be paid by the Commonwealth from the State Stores Fund and General Fund into the State

Employees' Retirement Fund shall be apportioned in the same ratio as the salaries of the Officers of the Liquor Control Board and Employees of the state institutions enumerated in this act

**Section 11 Payments Upon Death** If the Board shall find that a contributor died as a direct or proximate result of injuries received in the course of his employment or while on disability retirement allowance resulting from such injuries a retirement allowance shall be paid to his widow so long as she remains his widow and if and when such widow dies or remarries then to his children under eighteen (18) years of age while they are under eighteen (18) years of age and if and when there are no children under eighteen (18) years of age then to the member's parent or parents if they are dependent

Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit and (b) a State annuity equal to fifty per centum (50%) of the final salary of the contributor less the amount which is paid to any such widow or children or dependent parent or parents under the Workmen's Compensation Laws of this Commonwealth during the period such compensation is paid or payable

**Section 12 Superannuation Retirement Allowance** (a) Any contributor having completed ten (10) years of service as an officer or employe may retire for superannuation after having reached the superannuation retirement age by filing with the Board a written application for retirement duly attested setting forth on what date he desires to be retired Said application shall make the superannuation retirement allowance effective on the dates so specified if such application was filed in the offices of the board or deposited in the United States mail addressed to the Board before the date specified in the application and before the death of the contributor Provided That the date so specified in the application shall not be more than thirty days from the date of filing or depositing the application in the mail

(b) Any contributor after having reached the superannuation retirement age must retire if after a medical examination upon the direction of the Liquor Control Board of the institution by which employed the Liquor Control Board or the institution shall decide he is incapable of performing the duties of an officer or employe

(c) When a contributor retires for superannuation under the provisions of this section he shall be paid a retirement allowance disbursed according to his election as provided in section fifteen Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to two one hundredths (2/100) of his final salary for each year of total service and an additional State annuity which shall be equivalent to the additional member's annuity which the accumulated deductions standing to the credit of the contributor would purchase if he retired at age sixty under the State Employees' Retirement System but the State annuity shall not exceed fifty per centum (50%) of the contributor's final salary

**Section 13 Disability Retirement Allowance** In case of the disability of a contributor regardless of the length of service of the contributor a retirement allowance shall be granted the contributor which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to two one-hundredths (2/100) of his final salary multiplied by the number of years service but in any case not less than thirty per centum (30%) nor more than fifty per centum (50%) of said salary

**Section 14 Involuntary Retirement Allowances** Should a contributor be discontinued from service not voluntarily after having completed ten years of total service or voluntarily after having completed twenty-five years of total service but before reaching superannuation retirement age he shall upon filing of application in the

manner herein provided for superannuation retirement be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit and in addition a State annuity having a value equal to the present value of a State annuity beginning at superannuation retirement age as provided in this act with respect to State annuities for superannuation retirement The same options shall be available to beneficiaries in case of involuntary retirement as provided herein the case of superannuation retirement

**Section 15 Options of Superannuation Retirement** At the time of superannuation retirement any contributor may elect that the retirement allowance be payable in conformance with any of the following plans

(1) There shall be paid to the beneficiary the actuarial equivalent of the members' and State annuity as a retirement allowance payable throughout his life and upon the beneficiary's death all retirement allowance payments shall cease

(2) If the retirement allowance would be less than ten dollars (\$10) per month there shall be paid to the beneficiary the full amount of the accumulated deductions standing to his individual credit in the Members' Annuity Reserve Account

(3) There shall be paid to a beneficiary the actuarial equivalent of the members' and State annuity in a lesser retirement allowance payable throughout life with any of the following provisions

(a) If the beneficiary die before receiving in payments the present value of his members' annuity and State annuity as it was at the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board

(b) Upon his death his member's annuity and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board

(c) Upon his death one-half of his members' and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

**Section 16 Monthly payments of Retirement Allowances** The retirement allowances granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed unless by an act of Assembly

**Section 17 Refunds in Case of Withdrawal or Death** Where a contributor resigns from service before becoming entitled to a retirement allowance or where a contributor has died and no application for a retirement allowance shall have been made by a person entitled to claim under the provisions of this act within six months after resignation or death then the amount standing to the credit of the contributor in the Members' Annuity Reserve Account shall be paid to him or to the person nominated by him by written designation duly acknowledged and filed by the contributor with the Board or in lieu of such designation such amount shall be paid to his estate

**Section 18 Exemption from Taxation and Execution** Etc Any Money received or to be paid as a members' annuity State annuity or return of deductions or the right to any of these shall be exempt from any State or municipal tax and from levy sale garnishment attachment or any other process whatsoever and shall be unassignable except for a loan not in excess of three hundred dollars (\$300) the interest on which shall not exceed six per centum (6%) per annum received by a contributor from a credit union now or hereafter organized or incorporated under the laws of this Commonwealth the membership of which credit union is limited solely to officers and employes of the Commonwealth

**Section 19 Nomination of Beneficiary** Every contributor shall have the authority to change the person nominated by him as the beneficiary by written designation duly acknowledged and filed with the board up until but not after the time of retirement

**Section 20 Fraud Correction of Errors** (a) No person shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of the retirement system herein established in any attempt to defraud such system

(b) Should any such change in records fraudulently made or any mistake in records inadvertently made result in any contributor or beneficiary receiving more or less than he would have been entitled to had the records been correct then on the discovery of such error the board shall correct such error and shall adjust the payments which shall be made to the contributor or annuitant in such manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid

Any person violating any of the provisions of subsection (a) of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000) or suffer imprisonment not exceeding one year or both in the discretion of the court

**Section 21 Medical Expenses** The fund shall upon approval by the board be available for the payment of the necessary and proper medical surgical and hospital expenses incurred as a direct and proximate result of illness contracted or injuries received in the course of a contributor's employment except as otherwise expressly herein provided The fund shall upon approval by the Board also be available for the payment of that portion of the necessary and proper medical surgical and hospital expenses not exceeding two hundred dollars (\$200) but in excess of twenty-five dollars (\$25) incurred by a contributor for any one other illness in the calendar year except as otherwise expressly herein provided In no event shall any charge for medical surgical or hospital expenses of a contributor whether incurred because of illness contracted or injuries received in the course of or outside of the course of employment be allowed until the contributor has resorted to all other funds that may be rightfully charged with such expenses and there is a balance remaining unpaid

**Section 22 Subrogation** Where a third person is liable to the member or his dependents for injury or death the Commonwealth shall be subrogated to the right of the member or the dependents against such third person but only to the extent of the State annuity payable under this act by the Commonwealth Any recovery against such third person in excess of the State annuity therefore paid or thereafter to be paid by the Commonwealth shall be paid forthwith to the contributor or the person designated by the contributor

**Section 23 Payments Under Other Laws** All payments provided for in this act are in addition to any other benefits now or hereafter provided for under any Workmen's Compensation Law or any other law except as otherwise herein provided

**Section 24 Amendments to Law** The Legislature shall have the right and the authority to alter strike out add to or amend or supplement any of the provisions of this act or to repeal the entire act and the board shall have the same right and authority with reference to its regulations excepting that no law or regulation shall deprive a contributor of the money standing to his credit in the Members' Annuity Reserve Account

**Section 25 State Employees' Retirement Law** to Apply Generally Except as otherwise provided in this act the retirement system established by this act shall be administered in accordance with the laws rules and regulations applying to the State Employees' Retirement System

**Section 26** The sum of forty-seven thousand dollars (\$47,000) is hereby specifically appropriated to the Department of State for payment into the State Employees' Retirement Fund to cover the additional liability for reserve required by reason of the provisions of this act

**Section 27 Effective Date** This act shall become effective January first one thousand nine hundred and fifty

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsheer,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehle,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill the the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 206, as follows:

An Act to further amend section two thousand eight hundred one A of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" further regulating the disposition of museum material in the custody of the Pennsylvania Historical and Museum Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

**Section 1** Section two thousand eight hundred one A of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools

or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by the act approved the fourteenth day of June one thousand nine hundred forty-seven (P. L. 604) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 2801-A Pennsylvania Historical and Museum Commission Subject to any inconsistent provisions in this act contained the Pennsylvania Historical Commission shall have the power and its duties shall be

\* \* \* \* \*

(v) With the approval of the Governor to lend to any other museum archival depository historical society or other reliable organized group of an educational nature any relics articles of historical interest manuscripts documents or other material committed to its custody under rules and regulations adopted by the Commission to provide adequate security for the safe return of said material which rules and regulations shall include provision for full insurance protection of any material loaned and also with the approval of the Governor to exchange material with other museums archival depositories historical societies or other reliable organized group of an educational nature Provided That no unique relic article manuscript document or other material which is of special significance to the history of Pennsylvania shall be exchanged in this manner

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 216, as follows:

An Act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating

building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Every political subdivision of this Commonwealth authorized by law to adopt building ordinances or codes restricting regulating or otherwise effecting the construction reconstruction or improvement of real estate located within the boundaries of such political subdivision shall file a copy of any such ordinance or code or amendment thereto certified to be true and correct by the proper officer in the office for the recording of deeds of the county wherein the political subdivision is situate which copy shall be adequately indexed to enable a person using the same to readily find the various types and kinds of regulations or requirements of such ordinance or code

Section 2 Any building ordinance or code or amendment thereto heretofore adopted by any political subdivision shall be void and of no effect unless such political subdivision shall comply with the provisions of this act within six (6) months of the effective date hereof No building ordinance or code nor amendment to an existing ordinance or code shall become effective until the political subdivision adopting the same shall have complied with the provisions of this act

Section 3 It shall be the duty of the recorder of deeds of each county of this Commonwealth to provide a suitable "Building Ordinance Book" or books and to maintain an adequate index as part of the same in which the filed copy of any such building ordinance or code and amendments thereto shall be kept The recorder of deeds shall charge the political subdivision filing the same a fee equal to the fees authorized by law for the same or similar services

Section 4 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third read and consideration of House Bill No. 234, as follows:

An Act to add a new section to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the

public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garagekeepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the use of the highways to vehicles in which television sets are installed within the view of the operator

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article eight of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors streets cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garagekeepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding after section eight hundred sixteen point two a new section to read as follows

Section 816.3 Television in Vehicles in View of Operator Prohibited It shall be unlawful for any person to operate any motor vehicle upon a highway in which has been installed any type of television set or equipment whereby the video screen of such television set is within the view of the operator of such motor vehicle

Penalty Any person violating the provisions of this section shall upon summary convictions before a magistrate be sentenced to pay a fine of ten dollars (\$10) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,                      Geltz,                      Meade,                      Tarr,

Barrett,  
Berger,  
Blass,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,  
Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Neff,  
Pechan,  
Peelor,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 238, as follows:

An Act to further amend section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" by including Catholic War Veterans Inc among the veterans' organizations entitled to the printing of convention reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 325) is hereby further amended to read as follows

Section 1 Be it enacted &c That whenever the department commanders of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion the Disabled American Veterans of the World War the American Veterans of World War II (AMVETS) Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Inc and the Marine Corps League shall report to the Department of Property and Supplies the proceedings of the annual encampment or conventions of their respective departments with such general and special orders and circulars and other data which may form a part of said proceedings then the said proceedings so reported shall be considered State records and under the direction of the Department of Property and Supplies shall be printed and bound and a printed and bound copy thereof shall be sent to each post or detachment in the Commonwealth of Pennsylvania of the organization of whose proceedings the same is a report

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,                      Geltz,                      Meade,                      Tarr,

Barrett,  
Berger,  
Blass,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,  
Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Neff,  
Pechan,  
Peelor,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 239, as follows:

An Act to further amend section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including Catholic War Veterans Inc among the organizations exempt from payment of registration fees of vehicles used by such organization The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last

amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 331) is hereby further amended to read as follows

## Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles fire department equipment trailers and semi-trailers owned by and used exclusively in the performance of the duties of (a) the Federal Government (b) any state other than Pennsylvania which issues titles or registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated town township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force in the extinguishment and prevention of fires or in rescue work hospital humane society or anti-cruelty society in this Commonwealth (f) the American Red Cross (g) churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army (k) duly chartered post or organization of the American Legion Veterans of Foreign Wars American veterans of World War II (AMVETS) the Marine Corps League Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Inc or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux and organizations and units of the Pennsylvania National Guard (l) mine or industrial ambulances (m) ambassadors ministers foreign consuls general consuls and vice consuls who are nationals of the country appointing them and who are assigned to foreign consulates in this Commonwealth Provided That American consular officers of equal rank who are citizens of the United States and who exercise their official functions at American consulates in such foreign country are granted reciprocal exemptions but all such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,  
Barrett,  
Berger,  
Blass,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Geltz,  
Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Meade,  
Neff,  
Pechan,  
Peelor,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Tarr,  
Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 240, as follows:

An Act to further amend section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A

and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" by including Catholic War Veterans Inc among the veterans organizations to which certain appropriations may be made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" as amended the thirty-first day of May one thousand nine hundred forty-seven (P. L. 326) is hereby further amended to read as follows

Section 1 Be it enacted etc. That the respective authorities of the several cities of the first and second class and second class A and incorporated towns of this Commonwealth are hereby authorized to appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS) and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each chapter of the Military Order of the Purple Heart to each post of the Catholic War Veterans Inc and to each post of the Jewish War Veterans and to each organization of ex-service men incorporated under the laws of this Commonwealth in the respective cities or towns a sum not to exceed two hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of the graves of Union veterans of the Civil War Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 241, as follows:

An Act to further amend clause thirty-four of section twenty-four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by including Catholic War Veterans Inc among the veterans organizations for which certain appropriations may be made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause Thirty-four of section twenty-four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 328) is hereby further amended to read as follows

Section 2403 Specific Powers In addition to other powers granted by this act the council of each city shall have power by ordinance

\* \* \* \* \*

34 Appropriations to Posts of Veterans To appropriate annually to each camp of the United States War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS) to each post of the Catholic War Veterans Inc and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each chapter of the Military Order of the Purple Heart and to each post of the Jewish War Veterans and to each organization of ex-service men in the city incorporated under the laws of the Commonwealth a sum not to exceed two hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day When the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of the graves of Union veterans of the Civil War Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

\* \* \* \* \*

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 260, as follows:

An Act establishing a retirement system for game protectors of the Pennsylvania Game Commission providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by game protectors of the Pennsylvania Game Commission and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes making an appropriation and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the following words and phrases as used in this act shall be construed to have the following meanings

"Accumulated Deductions" the total of the amounts deducted from the salary or wages of a contributor and paid into the fund and standing to his credit in the fund together with the regular interest thereon

"Beneficiary" any person in receipt of a retirement allowance under this act

"Board" the State Employees' Retirement Board of the Department of State

"Contributor" any game protector who has accumulated deductions in the fund standing to his credit

"Game Protector" shall mean a male employee of the Pennsylvania Game Commission who was appointed a full time salaried game protector prior to the first day of January one thousand nine hundred thirty-seven and assigned to the duties of that position and all subsequent graduates of the Game Commission's Student Officer Training School appointed salaried game protectors in all cases of doubt the retirement board shall determine whether any person is a game protector as defined in this paragraph and its decision shall be final

"Final Salary" the average annual compensation earnable by a contributor before any deductions have been made and exclusive of maintenance allowances and expenses for the five years of service immediately preceding retirement or in the event an employee has not served five years the total retirement compensation earnable divided by the number of years served

"Fund" the State Employees' Retirement Fund

"Game Commission" the Pennsylvania Game Commission

"Member's Annuity" payments for life derived from contributions made by the contributor

"Member" shall mean a game protector of the Pennsylvania Game Commission who shall be a member of the retirement system established by this act

"Original Member" a game protector who was at any time a State employee prior to January first one thousand nine hundred and twenty-five and who is a game protector of the Pennsylvania Game Commission

"New Member" a person who became a game protector subsequent to December thirty-first one thousand nine hundred and twenty-four

"Prior Service" shall mean State service prior to January first one thousand nine hundred and twenty-four

"Regular Interest" interest at the rate of four per centum compounded annually

"Retirement Allowance" the State annuity plus the member's annuity

"State Annuity" payments for life derived from contributions made by the Commonwealth

"Superannuation Retirement Age" shall mean sixty years of age

Section 2 Game Commission Retirement System A Retirement system is hereby established for the game pro-

tectors of the Pennsylvania Game Commission which system shall be administered by the State Employees' Retirement Board of the Department of State

Section 3 Administrative Expenses The expense of the administration of this act exclusive of the payment of retirement allowances and other benefits shall be paid by the Commonwealth by biennial appropriations out of the General Fund made on the basis of estimates submitted by the board

Section 4 Payments into State Employees' Retirement Fund All payments or appropriations made from the Game Fund all contributions by game protectors of the Game Commission in the amount hereinafter specified and all interest on and increase of the investments and moneys under this act shall be paid into the State Employees' Retirement Fund and shall be credited to the proper accounts in said fund as provided by law applying to said fund The Game Commission shall on receiving the certification of the board periodically contribute such sums of money as the actuary shall estimate shall be required to annually meet the obligations incurred or to be incurred and to establish the reserves provided for in this act

Section 5 Rules and Regulations Actuarial Data Appropriations to Fund The board shall from time to time establish such rules and regulations for the administration of this act as may be deemed necessary It shall keep such data as shall be necessary for actuarial valuation purposes The actuary of the board shall periodically make an actuarial investigation into the mortality and service experience of the contributors to and beneficiaries of the fund and shall adopt for the retirement system one or more mortality tables and certify to the board biennially the amount of contributions required to be made by the Game Commission to the fund to build up and maintain adequate reserves for the payment of the State's share of the retirement allowances and other disbursements provided by this act

Section 6 Compulsory Membership Every game protector of the Pennsylvania Game Commission shall be required to become a member of the retirement system established by this act on January first one thousand nine hundred and fifty and thereafter when first becoming a game protector of the Game Commission Contributions by members under this act shall commence with the first payroll after January first one thousand nine hundred and fifty If any game protector employed by the Game Commission shall have been at any time theretofore in the Commonwealth's employ he shall receive credit for all such service prior to January first one thousand nine hundred and fifty upon complying with the provisions of this act

Section 7 Commonwealth Guarantee Biennial Budgets The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the State and members' annuities in accordance with this act are hereby made obligations of the Commonwealth of Pennsylvania The board shall prepare and submit to the budget secretary on or before the first day of November of each even-numbered year an itemized estimate of the amounts necessary to be paid or appropriated by the Game Commission to complete the payments of the obligations of the Commonwealth during the fiscal biennium beginning June first of the following year

Section 8 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each contributor for each year of service rendered to the Commonwealth including service rendered prior to January first one thousand nine hundred and fifty upon complying with the provisions of this act As soon as practicable the retirement board shall issue to each original member a certificate certifying the aggregate length of his service prior to January first one thousand nine hundred and twenty-four Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the contributor The time during which a contributor is absent

from service without pay shall not be counted in computing the service of a contributor unless approved by the board

Section 9 Payments by Contributors All original and new members shall be required to contribute into the fund at the same rate of contribution according to age as is required of State employees contributing at the one one-hundredth rate under the State Employees' Retirement Act All game protectors who were not members of the State Employees' Retirement System shall have the option of becoming original members of the retirement system established by this act but shall be required to pay into the fund a sum equal to all back payments which such person would have made had he become a member of the State Employees' Retirement System when the same was established In like manner any new member may elect to make back payments to the date when he first entered the service of the Board of Game Commissioners or Pennsylvania Game Commissioners Such back payments of original and new members may be spread over a period of years by having the regular payroll deduction of the contributor increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the full amount of such back payments have been completed Any such deduction increase may be anticipated in part or in full by the contributor at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then his member's annuity shall be calculated on the total accumulated deductions standing to his credit in the fund and the state annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of back payments not so anticipated

Every contributor who was a member of the State Employees' Retirement System shall receive full credit under this act for all contributions made into the fund and for all service credits to which he was entitled under the State Employees' Retirement System

Section 10 Contributions by the Commonwealth The Pennsylvania Game Commission of the Commonwealth shall contribute from time to time sufficient moneys to build up the reserves required to pay to each contributor upon superannuation retirement a State annuity equal to two one-hundredth (2/100) of his final salary for each year of total service and in addition thereto if an original member of two one-hundredth (2/100) of his final salary for each year of prior service

The amounts to be paid by the Game Commission into the State Employees' Retirement Fund shall be apportioned in the same ratio as the salaries of the employees of the Pennsylvania Game Commission

Section 11 Payments Upon Death If the board shall find that a contributor died as a direct and proximate result of injuries in the course of his employment or while on disability retirement allowance resulting from such injuries a retirement allowance shall be paid to his widow so long as she remains his widow and if and when such widow dies or remarries then to his children under eighteen (18) years of age while they are under eighteen (18) years of age and if and when there are no children under eighteen (18) years of age then to the member's parent or parents if they are dependent

Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit and (b) a State annuity equal to 50% of the final salary of the contributor less the amount which is paid to any such widow or children or dependent parent or parents under the Workmen's Compensation Laws of this Commonwealth during the period such compensation is paid or payable

Section 12 Superannuation Retirement Allowance Any contributor may retire for superannuation by filing with the board a written application for retirement duly attested setting forth on what date he desires to be retired Said application shall make the superannuation retirement

allowance effective on the date so specified if such application was filed in the offices of the board or deposited in the United States mail addressed to the board before the date specified in the application and before the death of the contributor Provided however That the date so specified in the application shall not be more than thirty days from the date of filing or despositing the application in the mail

When a contributor retires for superannuation under the provisions of this section he shall be paid a retirement allowance disbursed according to his election as provided in section 15 Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to two one-hundredth (2/100) of his final salary for each year of total service and if an original member in addition thereto of two one-hundredth (2/100) of his final salary for each year of prior service but the State annuity shall not exceed fifty (50%) per cent of the contributor's final salary

Section 13 Disability Retirement Allowance In case of the disability of a contributor regardless of the length of service of the contributor a retirement allowance shall be granted the contributor which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to two one hundredth (2/100) of his final salary multiplied by the number of years service but in any case not less than thirty per centum (30%) nor more than fifty per centum (50%) of said salary

Section 14 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily after having completed ten years of total service or voluntarily after having completed twenty-five years of total service but before reaching superannuation retirement age he shall upon filing of application in the manner herein provided for superannuation retirement be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit and in addition a State annuity having a value equal to the present value of a State annuity beginning at superannuation retirement age as provided in this act with respect to State annuities for superannuation retirement The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

Section 15 Options on Superannuation Retirement At the time of superannuation retirement any contributor may elect that the retirement allowance be payable in conformance with any one of the following plans

(1) There shall be paid to the beneficiary the actuarial equivalent of the member's and State annuity as a retirement allowance payable throughout his life and upon the beneficiary's death all retirement allowance payments shall cease

(2) If the retirement allowance would be less than ten (\$10.00) dollars per month there shall be paid to the beneficiary the full amount of the accumulated deductions standing to his individual credit in the Member's Annuity Reserve Account

(3) There shall be paid to a beneficiary the actuarial equivalent of the member's and State annuity in a lesser retirement allowance payable throughout life with any one of the following provisions

(a) If the beneficiary die before receiving in payments the present value of his member's annuity and State annuity as it was in the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board

(b) Upon his death his member's annuity and State annuity shall be continued through the life of and paid to

such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board

(c) Upon his death one-half of his member's and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

Section 16 Monthly Payments of Retirement Allowances The retirement allowances granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed unless by an act of Assembly

Section 17 Refunds in Case of Withdrawal or Death Where a contributor resigns from service before becoming entitled to a retirement allowance or where a contributor has died and no application for a retirement allowance shall have been made by a person entitled to claim under the provisions of this act within six months after resignation or death then the amount standing to the credit of the contributor in the Member's Annuity Reserve Account shall be paid to him or to the person nominated by him by written designation duly acknowledged and filed by the contributor with the board or in lieu of such designation such amount shall be paid to his estate

Section 18 Exemption from Taxation and Execution Etc Any money received or to be paid as a member's annuity state annuity or return of deductions or the right to any of these shall be exempt from any State or municipal tax and from levy sale garnishment attachment or any other process whatsoever and shall be unassignable except for a loan not in excess of three hundred (\$300) dollars the interest of which shall not exceed six (6%) per centum per annum received by a contributor from a credit union now or hereafter organized or incorporated under the laws of this Commonwealth the membership of which credit union is limited solely to officers and employees of the Commonwealth

Section 19 Nomination of Beneficiary Every contributor shall have the authority to change the person nominated by him as the beneficiary by written designation duly acknowledged and filed with the board up until but not after the time of retirement

Section 20 Fraud Correction of Errors (a) No person shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of the retirement system herein established in any attempt to defraud such system

(b) Should any such change in records fraudulently made or any mistake in records inadvertently made result in any contributor or beneficiary receiving more or less than he would have been entitled to had the records been correct then on the discovery of such error the board shall correct such error and shall adjust the payments which shall be made to the contributor or annuitant in such manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid

Any person violating any of the provisions of subsection (a) of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand (\$1000) dollars or suffer imprisonment not exceeding one year or both in the discretion of the court

Section 21 Medical Expenses The Fund shall upon approval by the board be available for the payment of the necessary and proper medical surgical and hospital expenses incurred as a direct and proximate result of illness contracted or injuries received in the course of a contributor's employment except as otherwise expressly herein provided The fund shall upon approval by the board also be available for the payment of that portion of the necessary and proper medical surgical and hospital expenses not exceeding two hundred (\$200) dollars but in excess of twenty-five (\$25) dollars incurred by a contributor for any one other illness in the calendar year except as otherwise expressly herein provided However

in no event shall any charge for medical surgical or hospital expenses of a contributor whether incurred because of illness contracted or injuries received in the course of or outside of the course of employment be allowed until the contributor has resorted to all other funds that may be rightfully charged with such expenses and there is a balance remaining unpaid

Section 22 Subrogation Where a third person is liable to the member or his dependents for injury or death the Commonwealth shall be subrogated to the right of the member or the dependents against such third person but only to the extent of the State annuity payable under this act by the Commonwealth Any recovery against such third person in excess of the State annuity theretofore paid or thereafter to be paid by the Commonwealth shall be paid forthwith to the contributor or the person designated by the contributor

Section 23 Payments Under Other Laws All payments provided for in this act are in addition to any other benefits now or hereafter provided for under any Workmen's Compensation Law or any other law except as otherwise herein provided

Section 24 Amendments to Law The Legislature shall have the right and the authority to alter strike out add to or amend or supplement any of the provisions of this act or to repeal the entire act and the board shall have the same right and authority with reference to its regulations excepting that no law or regulation shall deprive a contributor of the money standing to his credit in the Member's Annuity Reserve Account

Section 25 State Employees' Retirement Law to Apply Generally Except as otherwise provided in this act the retirement system established by this act shall be administered in accordance with the laws rules and regulations applying to the State Employees' Retirement System

Section 26 Appropriation The sum of forty-seven thousand five hundred dollars (\$47,500) is hereby specifically appropriated to the Department of State for payment into the State Employees' Retirement Fund to cover the additional liability for reserve required by reason of the provisions of this act for the period commencing the first day of January one thousand nine hundred fifty and ending the thirty-first day of May one thousand nine hundred fifty-one

Section 27 Constitutional Provisions The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 28 Effective Date This act shall become effective January first one thousand nine hundred and fifty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr.  
Barrett.  
Berger.  
Blass.  
Chapman.  
Crowe.  
Dent.  
Diehm.  
DiSilvestro.  
Doehla.  
Donlan.  
Farrell.  
Frazier.

Geltz.  
Haluska.  
Hare.  
Holland.  
Homsher.  
Kephart.  
Lane.  
Leader.  
Letzler.  
Lord.  
Mahany.  
Mallery.  
McPherson, Jr.,

Meade.  
Neff.  
Pechan.  
Peelor.  
Robinson.  
Rosenfeld.  
Ruth.  
Scarlett.  
Snowden.  
Stevenson.  
Stiefel.  
Tallman.

Tarr.  
Taylor.  
Toole.  
Wade.  
Wagner.  
Walker.  
Watkins.  
Watson.  
Wolfe.  
Wood, L. H.  
Wood, T. N.  
Yosko.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 285, as follows:

An Act to further amend sections one and eight of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" further regulating such retirement systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and eight of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" as amended by the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 777) are hereby further amended to read as follows

Section 1 The following words and phrases as used in this act unless a different meaning is plainly required by the context shall be construed to have the following meanings

"Board" the county retirement board created by this act

"County Employee" any person whether elected or appointed who is employed by the county the county institution district in the county prison or in any other institution maintained by the county from county moneys or who is employed by any county or State official and paid by such official from moneys appropriated by the county for such purpose whose salary or compensation is paid in regular periodic installments but shall not include any person paid on a per diem basis

In all cases of doubt the board shall determine whether a person is an employee within the meaning of this act and its decision shall be final

"Fund" the county employees' retirement fund created by this act

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act and standing to the credit of the members annuity reserve account together with the regular interest thereon

"Contributor" any person who has accumulated deductions in the fund created by this act standing to the credit of the members' annuity reserve account

"Beneficiary" any person in receipt of a retirement allowance under this act

"Prior Service" all service as a county employee served not later than December thirty-first preceding the year the retirement system shall be established in said county

"Original Member" a member who was a county employee on the date of establishment of the retirement system in said county or a county officer whose term of service began after the establishment of the retirement system and who had previously held an elective office in said county prior to the date of the establishment of the retirement system therein

"New Member" a member who shall have become a member of the retirement system after the date of establishment of the retirement system in said county except a county officer whose term of service began after the date of the establishment of the retirement system in said county and who had held an elective office therein prior to the date of the establishment of the retirement system in said county

"Superannuation Retirement Age" as applied to a contributor means sixty years of age or upwards

"Final Salary" the average annual salary received by a contributor for the five years of service immediately preceding retirement or in the event a member has not served five years the total salary received divided by the number of years served

"Regular Interest" interest at the rate of three nad one-half per centum compounded annually

"County Annuity" payments for life or during disability derived from contributions made by the county and the interest earnings thereof

"Member's Annuity" payments for life or during disability derived from contributions made by the contributor and the interest earnings thereof

"Retirement Allowance" the county annuity plus the member's annuity

Section 8 Compulsory Membership Each county officer may and each county employe shall be required to become a member of the retirement system established under the provisions of this act at such date as may be specified in the resolution establishing the retirement system and thereafter when first becoming a county employe Those becoming members on the date of establishment of the retirement system shall be known as original members and those becoming members after said date as new members Provided however That if any person becomes a county officer subsequent to the first Monday of January of the year the retirement fund was established who shall have been at any time theretofore serving in an elective county office he shall receive credit for the service prior to the first Monday of January of the year the system was established and shall be known as an original member

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelot,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 293, as follows:

An Act to further amend clause (b) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers

Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by reducing the working week of the Capitol Police to five days

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative department boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 2402 Grounds Buildings and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

(b) To employ such captains sergeants of police and police officers as may be necessary to preserve good order in the Capitol grounds and building and fix their compensation and their hours of employment which shall not be spread over more than five days in any one week except in emergency Provided however That the number and compensation of such captains sergeants and officers shall be subject to the approval of the Governor Such captains sergeants and officers shall be known as the Capitol Police

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
DiSilvestro,	Leader,	Scarlett,	Watson,
Diehm,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrall,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 312, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating the State Board of Chiropractic Examiners and defining its powers and duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 313, on third reading, entitled:

An Act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners providing for the granting suspension and revocation of licenses issued by the board conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 320, as follows:

An Act to amend section one of the act approved the third day of April one thousand nine hundred twenty-nine (P. L. 127) entitled "An act fixing the fees of the recorder of deeds in counties of the third and fourth class" changing said fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the third day of April one thousand nine hundred twenty-nine (P. L. 127) entitled "An act fixing the fees of the recorder of deeds in counties of the third and fourth class" is hereby amended to read as follows

Section 1 Be it enacted &c That the fees of the recorder of deeds in counties of the third and fourth classes shall be as follows

For recording and exemplifying deeds mortgages and other writing for every [five] four words one cent (1c) The minimum rate for recording same shall be [two] three dollars and fifty cents (\$3.50)

For indexing deeds mortgages and other writings with [more] less than four names no charge [fifteen cents extra] for each additional name twenty cents (20c) extra

For abstracting first description or parcel of land [twenty] twenty-five cents (25c) for each additional description or parcel of land [fifteen] twenty-five cents (25c) extra

For entering satisfaction [fifty] on margin of record of mortgage seventy-five cents (75c)

For noting assignments of mortgages releases of mortgages and agreements on mortgages twenty-five cents (25c) for first and twenty-five cents (25c) for each additional notation

[For taking acknowledgments for each person twenty-five cents]

For certifying deeds mortgages assignments and satisfaction of record to county commissioners fifty cents (50c)

For recorder's certificate and seal of office fifty cents (50c)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 364, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies is hereby authorized to acquire by purchase or gift on

behalf of the Commonwealth approximately five (5) acres of land at and surrounding the recognized site of William Penn's first landing in Pennsylvania at Front and Penn Streets in the city of Chester Delaware County The exact amount and location of the land to be acquired shall be determined by the Pennsylvania Historical and Museum Commission

Section 2 The Pennsylvania Historical and Museum Commission after said property has been acquired shall clear said property of all buildings structures and waste materials and shall grade and improve the same and shall provide for the maintenance of a suitable park providing a setting for this historical shrine

The Pennsylvania Historical and Museum Commission after said property has been acquired shall make and enforce the rules and regulations for the preservation visitation and maintenance thereof

Section 3 The sum of thirty thousand dollars (\$30,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the acquisition of the site hereinbefore referred to and for the clearing grading and improvement of said land

The sum of five thousand dollars (\$5000) or as much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical and Museum Commission for the two fiscal years beginning the first day of June one thousand nine hundred forty-nine for the purpose of maintenance of such site

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 394, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the fiscal year and the date for meetings budgets taxation audits and reports changing the compensation of supervisors and auditors increasing compensation for attending conventions of county associations changing permissible payments to secretaries of county associations and payments of dues by townships to state associations and the expense allow-

ance of delegates providing for appointment of police authorizing police pension annuities to widen deepen and embank water-courses to employ township managers and certified public accountants to regulate the election of supervisors in certain cases providing for the levy of taxes for fire protection services changing the definition of volunteer firemen for workmen's compensation insurance purposes the method of advertising for bids the limitation on taxes for fire hydrant purposes the requirements for street and road improvements and the vote of supervisors required for zoning changes and clarifying and revising certain provisions of said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 438, as follows:

An Act to encourage the suitable useful continual and gainful employment of service disabled veterans through the creation and administration of the Service Disabled Veterans Employment Disability Trust providing for its administration by the Workmen's Compensation Board and payments therefrom in cases of additional disability through accidents in employment and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Declaration of Policy and Legislative Intent As a guide to the interpretation of this act the policy and intent of the Legislature is declared to be that (a) this Commonwealth and its people have and should bear the direct responsibility of providing the opportunity for and facilitating the suitable gainful employment of all of its service disabled veterans (b) every veteran in this Commonwealth who is able to work for a living is entitled to a reasonable opportunity to maintain his independence and self-respect through self-support even though he is handicapped by a service connected compensable disability (c) any plan which will reasonably equitably and feasibly operate to break down hinderances and remove obstacles to the employment of service disabled veterans is of vital importance to the Commonwealth and its people (d) it is the considered judgment of this Legislature that the system embodied in this act which makes a logical and equitable adjustment of the liability which the Commonwealth must assume constitutes a practicable and reasonable approach to a solution of the problem for the employment of service disabled veterans

Section 2 Definitions The following words and phrases shall have the meaning ascribed to them in this section unless the context clearly requires otherwise

(a) "Service Disabled Veteran" shall mean a person who has a service connected compensable disability as certified to by the Veterans Administration of the United States

(b) "Previous Disability" shall mean the service connected compensable disability of a service disabled veteran

(c) "Additional Disability" shall mean any physical or mental condition including the aggravation of a previous disability which (1) arises out of or in the course of employment and (2) substantially hinders the full and normal functioning of the body or any part thereof

(d) "Consequent Increased Disability" shall mean the degree by which an additional disability by reason of its combination with a previous disability is greater than that which would have resulted from the additional disability alone

(e) "Board" shall mean the Workmen's Compensation Board of the Commonwealth

Section 3 Trust Created Administration (a) There is

hereby created the Service Disabled Veterans Employment Disability Trust for the purpose of paying to disabled veterans for additional disability or consequent increased disability compensation payments under the provisions of this act The sum of one hundred thousand dollars (\$100,000) is hereby appropriated to the Department of Labor and Industry for compensation payable by the Commonwealth under this act for the biennium 1949-1951

(b) The Department of Labor and Industry shall be charged with the conservation of the assets of said appropriation and the Workmen's Compensation Board is hereby authorized and directed to administer the provisions of this act and to promulgate such rules and regulations as may be necessary to so administer the same

(c) The Department of Labor and Industry is hereby authorized to receive and credit to said trust any sum or sums that may at any time be granted given bequeathed or otherwise contributed to the Commonwealth from any source whatsoever for the purpose for which the said trust is established

Section 4 Operation of the Trust (a) The liability of an employer of a service disabled veteran or the liability of the employer's insurance carrier shall be limited to the liability imposed upon him or under the provisions of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) as reenacted and amended by the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1552) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties"

(b) When a service disabled veteran incurs an additional disability or a consequent increased disability which is not compensable under the provisions of the aforementioned act compensation for such additional disability or consequent increased disability shall be payable from the Trust

(c) The employer or insurance carrier shall in the first instance pay to the service disabled veteran any benefits due under this act but such employer or insurance carrier shall thereupon be entitled to reimbursement from the said Trust for all payments for additional or consequent increased disability compensable under this act

(d) In the event that liability of said Trust arises under circumstances creating a liability upon any person other than the employer of the service disabled veteran said trust shall share ratably with any other person and shall be subrogated to all rights and remedies of the service disabled veteran

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett.	Haluska.	Neff.	Taylor.
Berger.	Hare.	Pechan.	Toole.
Blass.	Holland.	Peelor.	Wade.
Chapman.	Homsher.	Robinson.	Wagner.
Crowe.	Kephart.	Rosenfeld.	Walker.
Dent.	Lane.	Ruth.	Watkins.
Diehm.	Leader.	Scarlett.	Watson.
DiSilvestro.	Letzler.	Snowden.	Wolfe.
Doehla.	Lord.	Stevenson.	Wood, L. H.
Donlan.	Mahany.	Stiefel.	Wood, T. N.
Farrell.	Mallery.	Tallman.	Yosko.
Frazier.	McPherson, Jr.		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 438, as follows:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring such townships to establish police pension funds in certain cases and permitting private police pension funds in such townships to elect to transfer their funds to townships police pension funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section one thousand four hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1409 Establishment of Police Pension Fund Management Townships [may] shall unless there is a private organization or association constituting and managing an existing pension fund for the members of the police force in any such township by ordinance establish a police pension fund to be maintained by an equal percentage charge against each member of the police force not exceeding annually four per centum of the pay of such member [The fund] All pension funds established under the provisions of this section shall be under the direction of the township commissioners or such committee as they may designate and shall be applied under such regulations as the commissioners may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service Any allowances made to those who are retired by reason of disability or age shall be in conformity with a uniform scale

Section 2 Said act is hereby amended by adding immediately following section one thousand four hundred nine thereof a new section to read as follows

Section 1409.1 Private Police Pension Funds Optional Transfers

(a) Where there is a private organization or association constituting and managing an existing pension fund for the members of the police force in any township such township shall establish a police pension fund under the provisions of this act if the membership of such organization or association by a two-thirds vote elects to transfer its funds with all its assets and liabilities into a township police pension fund as required to be established by this act

(b) Whenever such a private organization or association managing an existing police pension fund for the members of the police force in any township elects by a two-thirds vote to transfer its funds into the pension fund required to be established by this act all the assets and liabilities of such existing fund shall be so transferred Such transfer may be made by the transfer of securities After such transfer the township police pension fund shall assume the liability of continuing the payment of pensions to members of the police force retired prior to such transfer in accordance with the laws and regulations under which such members were retired

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 448, as follows:

An Act relating to police pension funds in boroughs towns and townships and authorizing such political subdivisions to appropriate monies thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Each borough town and township may annually appropriate and pay into the police pension fund established by such political subdivision or which is by ordinance or resolution designated as the recognized police pension fund for such political subdivision a sum of money which together with the monies paid into such police pension fund according to existing law and practices will be sufficient to meet the requirements of and to maintain such police pension fund

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 460, on third reading, entitled:

An Act to reenact amend and revise the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 480, as follows:

An Act to amend section one of the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 765) entitled "An act fixing the fees of the recorder of deeds in counties of the sixth seventh and eighth class" by clarifying the provisions relating to the payment by the county commissioners of certain fees for services rendered by the recorder of deeds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 765) entitled "An act fixing the fees of the recorder of deeds in counties of the sixth seventh and eighth class" is hereby amended to read as follows

Section 1 The fees of the recorder of deeds in counties of the sixth seventh and eighth class shall be as follows

For recording and exemplifying deeds mortgages and other writings for every five words one cent The minimum rate for recording same shall be two dollars and fifty cents

For indexing deeds mortgages and other writings with more than four names fifteen cents extra for each additional name

For abstracting first description or parcel of land twenty cents for each additional description or parcel fifteen cents extra

For entering satisfactions assignments partial payments releases extensions and postponements on margin of mortgage record fifty cents

For taking acknowledgments fifty cents for first name and twenty-five cents for each additional name

For certifying [deeds] monthly report of mortgages assignments and satisfaction of record to county commissioners [fifty-cents] as required by the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for state and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for state purposes" two dollars and fifty cents (\$2.50) to be paid by the county

The fee for services not herein specifically provided for shall be the same as for similar services

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 517, as follows:

An Act to further amend clause three of section thirteen of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes of such additional monies as may be necessary to carry out the provisions of this act" by cancelling age requirement and changing length of service necessary to receive a pension

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (3) of section thirteen of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" as amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 919) is hereby further amended to read as follows

Section 13 Members of the fund shall be eligible to receive pensions from said fund as follows

\* \* \* \* \*

(3) Any member who has become a member of this fund under the provisions of sub-section (1) of section eight hereof or who has been admitted to membership under the provisions of sub-section (2) or sub-section (3) of section eight hereof more than sixty days after the effective date of this act shall be entitled to receive a pension

fund from said fund upon written application of such member stating his desire to withdraw from service in said city or that his employment by the said city has been terminated and showing that such member has attained the age of [fifty-five] fifty years and has rendered at least [twenty-five years'] twenty years' continuous service to the said city at least one year of which was immediately prior to his application but need not have been otherwise continuous service Such service shall total twenty-five years and shall include service in the armed forces of the United States in times of war

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 549, as follows:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one two and three of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of roads from the State highway system and providing for their future maintenance and construction" are hereby amended by adding certain additional roads to be removed from the State highway system to read as follows

Section 1 The following described roads which were added to the State highway system under the provisions of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 409) entitled "An act authorizing the Secretary of Highways to join two or more State highway routes by the construction of connecting roads under certain conditions and providing for the payment of damages for land taken in the construction of such connecting roads" or under the provisions of Section 217 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) known

as the "State Highway Law" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system

#### City of Pittsburgh

The section of road in the City of Pittsburgh Allegheny County designated in the records of the Department of Highways as Route 246 Spur "E" beginning at a point on Route 70 at Galveston and Ridge Avenues thence westerly a distance of about .13 of a mile

The section of road in Bethel Township Armstrong County identified in the records of the Department of Highways as Route 03087 spur E extending easterly from 705 a distance of about .23 of a mile

The section of road in Wayne Township Armstrong County identified in the records of the Department of Highways as Route 03087 spur E extending easterly from 03087 a distance of about .07 of a mile the section of road identified in the records of the Department of Highways as Route 40064 spur E beginning at a point on Route 361 near Meeker and extending northwesterly in Lebanon Township Luzerne County a distance of about 0.19 of a mile

Section 2 The following described roads or sections of road which were added to the State highway system under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1514) entitled "An act establishing as State highways certain condemned or abandoned turnpikes and turnpikes the companies or associations owning which have been dissolved and requiring their construction repair and maintenance as such" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system the section of the former Milesburg and Smethport Turnpike identified in the records of the Department of Highways as Route 865 extending from Route 411 at Caledonia to the Clearfield County line in Jay Township Elk County a distance of about 3.69 miles

The section of the former Spruce Creek and Phillipsburg Turnpike presently identified as State Highways Route 867 beginning at a point on Route 346 about one mile south of the Franklin-Spruce Creek Township line thence northerly in Spruce Creek Township Huntingdon County a distance of about 1.81 miles

The section of the former Bridgewater and Wilkes-Barre Turnpike road presently identified as State Highway Route 842 beginning at a point on Route 57138 thence southeasterly to a point on Route 57078 in Bridge-water Township Susquehanna County a distance of about 1.12 miles

Section 2 On or after the effective date of this act the roads herein described shall be maintained constructed and reconstructed by the authorities of the township borough incorporated town or city in which they are located

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 550, as follows:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" and its amendments are hereby deleted as indicated or amended to read as follows

Route 03095 [extending Route 03095] beginning at a point on [the Dayton Borough-Wayne Township line] Route 03087 at Milton Street thence in a westerly direction on Main Street to an intersection with Route 534 at Main and State Streets in the Borough of Dayton Armstrong County a distance of about [.5] .38 of a mile

Application 3955 beginning at a point on South Heights Borough-Hopewell Township line thence in a southerly direction on North Jordan Street to [an intersection with the continuation of State highway route] a point on the Beaver-Allegheny County line in the Borough of South Heights Beaver County a distance of about [.3] .8 of a mile

[Route 04089 extending Route 04039 beginning at a point on the Ambridge Borough-Harmony Township line thence over Wilson Avenue and Glenwood Road to an intersection with Route 641 at Glenwood Road and Duss Avenue in Ambridge Borough Beaver County a distance of about 0.6 of a mile]

[Route 07013 extending Route 07013 beginning at a point on the South Williamsburg Borough-Woodbury Township line thence in a northwesterly direction on Second Street thence in a northeasterly direction on High Street to an intersection with Route 260 at High and Front Streets in the Borough of Williamsburg Blair County a distance of about .45 of a mile]

[Route 07014 extending Route 07014 beginning at a point on the South Duncansville Borough-Blair Township line thence in a northerly direction on Seventh Street to an intersection with Route 53 at Seventh Street and third Avenue in the Borough of Duncansville Blair County a distance of about .11 of a mile]

[Route 53106 Extending Route 53106 beginning at a point on the West Mahanoy Township-Frackville Borough line about 0.1 of a mile west of Route 161 thence in a southerly direction to a point on Route 161 about 300 feet east of the Frackville underpass in the Borough of Frackville Schuylkill County a distance of about 0.1 of a mile]

[Route 53106 Extending Route 53106 beginning at a point on the West Mahanoy Township-Gilberton Borough line about 0.1 of a mile west of Route 161 thence in a northerly direction to a point on Route 161 about 0.9 of a mile west of the intersection of Route 161 and Route 290 spur in the Borough of Gilberton Schuylkill County a distance of about 0.7 of a mile]

Route 64235 Extending Route 64235 beginning at a point

on the Derry Township-Latrobe Borough line at Station Street thence over [Harrison Avenue and Ligonier Street] Lincoln Avenue to a point on Route 480 at [Ligonier] Lincoln Avenue and Depot [Streets] Street in the Borough of Latrobe Westmoreland County a distance of about [1 mile] 1.2 miles

Section 2 Said act is hereby further amended by adding thereto the following new routes

## Eden Park Borough

Route 392 Extending Route 392 beginning at a point on the south line of the City of McKeesport at 37th Street thence southerly over Walnut Street to a point on Route 288 in the Borough of Eden Park Allegheny County a distance of .2 of a mile

## Brisbin Borough

Route 17135 extending Route 17135 beginning at a point on the south line of Brisbin Borough thence over a borough street to a point of intersection with Routes 670 and 17048 in the borough of Brisbin Clearfield County a distance of about .5 of a mile

## Osceola Mills Borough

Route 17136 Extending Route 17136 beginning at a point on the west line of Osceola Mills Borough at Curtain Street thence over Curtain Street French Street and Coal Street to a point on the Decatur Township-Osceola Mills Borough line in the borough of Osceola Mills Clearfield County a distance of about .23 of a mile

## Mechanicsburg Borough

Route 21097 Extending Route 21097 beginning at a point on the west line of Mechanicsburg Borough at Simpson Street thence easterly over Simpson Street to a point of intersection with Route 416 at Simpson and Market Streets in the Borough of Mechanicsburg Cumberland County a distance of about .75 of a mile

## Brookville Borough

Route 33090 Beginning at a point on Route 60 at the Brookville Borough-Pine Creek Township line thence southerly to an intersection with Hiawatha Street in Brookville Borough Jefferson County a distance of about 0.6 of a mile

## Clarks Summit Borough

Route 35069 Beginning at the Intersection of Route 9 and Route 365 spur thence southerly over Grove Street to a point on Route 671 in the Borough of Clarks-Summit Lackawanna County a distance of about 1.1 miles

## White Haven Borough

Route 40118 Extending Route 40118 beginning at a point on the south line of White Haven Borough thence northerly on Church Street to Route 40040 at Berwick Street in the Borough of White Haven Luzerne County a distance of about 0.97 of a mile

## Mercer Borough

Route 43017 Spur beginning at a point on Route 43017 at Diamond and Pittsburgh Streets thence over Diamond Street to Route 246 at Erie Street in the Borough of Mercer Mercer County a distance of about .08 of a mile

## Stoneboro Borough

Route 43052 Spur beginning at a point on Route 208 on Mine Street thence northerly to a point on Route 43052 in the Borough of Stoneboro Mercer County a distance of about 0.6 of a mile

## West Middlesex Borough

Route 43109 Extending Route 43109 beginning on the Shenango Township line thence easterly to a point on Route 238 Spur B in the Borough of West Middlesex Mercer County a distance of about .36 of a mile

## Danville Borough

Route 47040 Extending Route 47040 beginning at a point on the east line of Danville Borough and extending over Spruce Street and Cherry Street to the intersection of Route 3 in the Borough of Danville Montour County a distance of 0.27 miles

## Wind Gap Borough

Route 48101 Extending Route 48101 beginning at a point on the westerly line of Wind Gap Borough thence easterly over a borough street to an intersection with Route 166 a distance of about 0.5 of a mile

## Schuylkill Haven and Cressona Boroughs

Route 53116 Beginning on Route 140 at the intersection of Columbia and Berne Streets thence over Berne Schuylkill and Front Streets to a point on Route 417 at Chestnut Street in the Boroughs of Schuylkill Haven and Cressona Schuylkill County a distance of about 1.4 miles

## Girardville Borough

Route 53118 Extending Route 53118 beginning at a point on the east line of Girardville Borough thence northwesterly over a borough street to a point on Route 290 in the borough of Girardville Schuylkill County a distance of about .3 of a mile

## Selinsgrove Borough

Route 54070 Beginning at a point on Route 194 at the intersection of Pine and Market Streets thence easterly on Pine Street to the intersection of Pine and Front Streets in the Borough of Selinsgrove Snyder County a distance of about .47 of a mile

## Blossburg Borough

Route 58115 Extending Route 58115 beginning at a point on the south line of Blossburg Borough thence north-easterly on a borough street to an intersection with application 7412 in the Borough of Blossburg Tioga County a distance of about 1.3 miles.

## Stockdale Borough

Route 62195 Extending Route 62195 beginning at the Allenport-Stockdale Borough line thence over Railroad and Locust Streets to a point on Route 268 in the borough of Stockdale Washington County a distance of about 0.65 of a mile

Section 3 This act shall become effective on the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher.	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 551, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" and its amendments are hereby deleted as indicated or amended to read as follows

[Route 02231 Beginning at a point on the Lebanon Church Road near its intersection with Route 376 thence northwesterly through Mifflin Township to a point on Route 02229 in Allegheny County a distance of about 1.1 miles]

Route 03052 Beginning at a point on Route [705 at T A Heilman's thence northeasterly in Bethel Township to a point on the Bethel-Burrell Township line at Tunnelville thence southeasterly in Burrell Township past Riggle School and Myers' Crossroads to 03050 at Brick Church thence northwesterly in Burrell Township in Armstrong County a distance of about [5.5] 3.05 miles

Route 03060 Beginning at Shay southeasterly in Kittanning Township through the village of Rockville to Pyrra thence northeasterly to a point on the Kittanning-Plum Creek Township line and continuing northeasterly in Plum Creek Township to an intersection with Route 67 [at] north of Whitesburg in Armstrong County a distance of about [4.7] 4.95 miles

[Route 03064 Beginning at McCaslin's Crossroads on the Green Oak-Sagamore Road thence northerly in Cowanshannock Township to a point on Route 189 at Shannock Park in Armstrong County a distance of about 2.1 miles]

Route 03091 Beginning at Route [67 near] 03137 north of Blanket Hill and running in [a northeasterly and] an easterly direction in Kittanning Township to a point on the Kittanning-Cowanshannock Township line thence easterly in Cowanshannock Township to a intersection at Sipe's Schoolhouse about .25 of a mile north of Margaret in Armstrong County a distance of about [5.6] 2.89 miles

[Route 03095 Beginning at a point on Main Street at the eastern borough line of Dayton Borough thence easterly through Wayne Township to connect with Route 32116

on the Armstrong-Indiana County line in Armstrong County a distance of about .7 of a mile]

[Route 03135 Beginning at a point on Route 378 in the Village of Cadogan thence in a westerly direction through Cadogan and South Buffalo Townships to a point on Route 03009 in Armstrong County a distance of about 0.95 of a mile]

[Route 04089 Beginning at the Ambridge Borough-Harmony Township line about 0.25 of a mile north of the Allegheny-Beaver County line and extending in a northeasterly and northerly direction through Harmony Township to a point on Route 04011 about 0.1 of a mile west of the Economy-Harmony Township line in Beaver County a distance of about 1.2 miles]

Route 07002 Beginning at a point on Route 07049 about .75 of a mile east of Cambria County line thence south in Juniata and Greenfield Townships to a road intersection at a church about one mile southeast of Bob's Run thence northeasterly to the southern terminus of Route 07038 approximately one and one-quarter miles south of the village of Blue Knob thence easterly to the village of Fredericksburg thence southeasterly along Poplar Run to a point on Route 47 in the village of Claysburg in Blair County a distance of about [7.8] 12.3 miles

Route 07008 Beginning at a point on Route [734 approximately four miles north of the borough line of Martinsburg in Huston Township Blair County thence northeasterly through Huston Township to 07009 at the village of Shantytown thence easterly in Huston Township to a road intersection in the village of Drab in Blair County a distance of about [3.6 miles] .73 of a mile

Route 07012 Beginning at a point on [the south borough line of Hollidaysburg on the Beaverdam Branch in Blair Township Blair County thence southeasterly through Blair Township to the village of Loop thence southeasterly to a point on the Blair-Franklintown Township line on the Frankstown Branch of the Juniata River] Route 07011 east of the Village of Loop thence southeasterly through Frankstown Township to a road intersection at a church approximately one-eighth of a mile east of Oldtown Run in Blair County a distance of about [5.2] 2.1 miles

[Route 07013 Beginning at a point on the southern borough line of Williamsburg Woodbury Township Blair County thence southerly through Woodbury Township to a road intersection approximately at Clover Creek thence northeasterly to the village of Calcite thence northerly to the village of Fisherville thence northerly to an intersection with Route 07039 in Blair County a distance of about 5.8 miles]

Route 07014 Beginning at a point on [the southern borough line of Duncansville in Blair Township Blair County thence southeasterly through Blair Township to a road intersection] Route 884 south of New Portage thence northeasterly to a point on the western borough line of Hollidaysburg in Blair County a distance of about [1.9] 1.1 miles

[Route 08140 Beginning at a point on Route 08049 about 1.7 miles southeast of Soper Hollow thence in a general northeasterly direction through Columbia and Wells Townships to a point on Route 08050 at Corryland in Bradford County a distance of about 2.7 miles]

Route 08166 Beginning at a point on Route [08049 about 0.2 of a mile northwest of its intersection with Route 08140] 08046 at Austinville thence in a northerly [and easterly] direction through Columbia [Township] and Wells Townships to a point on Route [08140] 08116 about 1.2 miles [north] west of its intersection with Route [08049] 08050 in Bradford County a distance of about [1.6] 4.5 miles

Route 10103 Beginning at a point on Route 75 about 2.3 miles northeast of Hooker thence in a general easterly direction through Concord Township [to the Concord-Fairview Township line] in Butler County a distance of about [1.7 miles] .76 of a mile

[Route 10123 Beginning at a point on Route 10124 about 0.6 of a mile north of its intersection with Route 10070 thence in an easterly direction through Marion

Township to a point on Route 10063 about 0.6 of a mile north of the Village of Boyers in Butler County a distance of about 1.3 miles]

Route 12007 Beginning at a point on the Shippen Township-Emporium borough line at the South Broad Street bridge thence in a general southwesterly direction through Shippen Township to a road intersection in Cameron County a distance of about [6.7] 3.6 miles

Route 16035 Beginning at Winkler's Corners and running east through Beaver Township to a point on the dividing line between Beaver and Paint Townships thence northeast through Pain Township [past Wagner's Corners] to a point of intersection with Route [65 at top of Clarion Hill] 16036 in Clarion County being a distance of about [3.0] 1.17 miles

[Route 16075 Beginning at a point on Route 64 about 0.1 of a mile east of the intersection of Routes 64 and 552 thence in a northeasterly direction through Clarion Township to a road intersection in Clarion County a distance of about 1.0 mile]

[Route 16068 Beginning at a point on Route 16030 about 0.5 of a mile southwest of the Licking-Piney township line thence in a southerly direction through Licking Township to a point on Route 311 about 0.5 of a mile west of the Sligo Borough Line in Clarion County a distance of about 1.4 miles]

Route 16080 Beginning at a point on Route 16055 at Fisher thence in a southwesterly direction through Millcreek Township to a road intersection [about 1.2 miles northwest of Mill Creek] in Clarion County a distance of about [2.5 miles] .4 of a mile

[Route 16085 Beginning at a point on Route 16066 about 0.7 of a mile west of St Petersburg Borough thence in a northwesterly direction through Richland Township to a point on Route 75 about 1.0 mile east of Emlenton Borough in Clarion County a distance of about 1.7 miles]

[Route 16086 Beginning at a point on Route 16017 near Black Fox School thence northerly and northwesterly through Perry Township to a point on Route 16015 about 0.1 of a mile southwest of Route 16063 in Clarion County a distance of about 2.1 miles]

[Route 16093 Beginning at a point on Route 214 about 0.6 of a mile east of Sligo Borough thence in a northerly direction through Piney Township to a point on Route 16032 about 0.1 of a mile south of Route 16069 in Clarion County a distance of about 1.9 miles]

Route 17016 Beginning on Route 59 near Salem thence in a northerly and northwesterly direction through Brady and Sandy Townships to a point on Route 402 [near] west of Oklahoma in Clearfield County a distance of about [3.25] 3.6 miles

[Route 17023 Beginning on Route 234 at the north line of Irvona Borough thence north through Beccaria and Jordan Townships to the county road in Clearfield County a distance of about 2.4 miles]

Route 17024 Beginning at a point on Route [17021] 857 about one mile south of Ansonville thence in a southeastwardly direction through Jordan Township to a point on Route 17036 near McCartney in Clearfield County a distance of about [3.8] 2.76 miles

[Route 17073 Beginning at a point on the county road at the western end of the Village of Rockton in Union Township thence northwesterly parallel to Lick Creek to the intersection of Route 17030 at Smith Mills in Clearfield County a distance of about 2.1 miles]

Route 17084 Beginning at a point on Route [17083] 862 about [1.4] .6 of a mile west of Route 17041 thence westerly southerly and easterly through Lawrence Township by way of Mount Zion School to the Lawrence Township-Clearfield Borough line at Martin Street in Clearfield County a distance of about [4.6] 3.7 miles

Route 17096 Beginning at a point on Route [17073 about 0.5 of a mile northwest of its intersection with Route] 862 [;] west of Rockton thence extending in a westerly and northwesterly direction through Union Brady and Sandy Townships to a point on Route 17030 about 1.2 miles south-

west of its intersection with Route 17091 in Clearfield County a distance of about [4.1] 4.6 miles

[Route 17100 Beginning at a point on Route 569 about 1.4 miles north of the Penn-Bloom Township line thence extending in a southwesterly and northwesterly direction by way of Goffe School through Bloom Township to a road intersection about 0.5 of a mile south of Route 59 in Clearfield County a distance of about 1.30 miles]

[Route 17102 Beginning at a point on Route 857 about 1.0 mile east of the Glen Hope Borough line thence in a northerly and easterly direction through Beccaria Township to a point on the Beccaria-Bigler Township line in Clearfield County a distance of about 1.0 mile]

[Route 17118 Beginning at a point on Route 17072 near the DuBois City line thence in an easterly direction through Sandy Township to a point on Route 17016 near the Brooks School in Clearfield County a distance of about 1.6 miles]

Route 17126 Beginning at a point on Route 17052 at the Village of Leontes Mills thence in a general northwesterly direction through Girard Township and southerly in Goshen Township by way of Eden to a [road intersection 1.5 miles northwest of the Village of Gillingham] point on Route 17052 at Shawville in Clearfield County a distance of about [5.4] 9.2 miles

Route 21014 Beginning at a point [in Lower Allen Township intersecting Route 416] on the Cumberland-York County line about .5 of a mile [west] south of Lisburn thence through Upper and Lower Allen Township to a point intersecting Route 21023 about .5 of a mile south of Eberly's Mill in Cumberland County a distance of about [5] 5.45 miles

[Route 21078 Beginning at a point on Route 21015 about 1.5 miles north of Route 708 thence easterly and northerly along Conodoquinet Creek through East Pennsboro Township to a point on application 231 in Cumberland County a distance of about 1.6 miles]

Route 23041 Beginning at a point on Darby Road in Radnor Township and extending in an easterly direction through Radnor Township to the Village of Ithan thence continuing through Radnor Township in a northerly direction [intersecting with routes] to an intersection with Route 577 [and 142] beginning again at a point on Route 142 about .7 of a mile north of Ithan thence northeasterly and northerly in Radnor Township to a point on the boundary line between Delaware and Chester Counties in Delaware County a distance of about [3.9] 3.3 miles

[Route 25003 Beginning at the Ohio State Line 1.25 miles north of Conneaut Creek being the underbridge road thence easterly in Springfield Township via Gould School and Armstrong Corner to a point on Route 85 near Five Corners about one mile southeast of West Springfield in Erie County a distance of about 3.4 miles]

Route 25012 Beginning at a point on the Crane Road at Cobbs Corners thence north in Elk Creek Township approximately parallel to Little Elk Creek via Fillingier School to a point on the south line of Girard Township thence north to a point on [the old state road at Millers Corners about one mile east of the east line of Platea Borough] Route 25014 near Little Elk Corners in Erie County a distance of about [2.9] 4.1 miles

[Route 25078 Beginning at Egley Corners in Springfield Township and running in a general westerly direction in Springfield Township to the Ohio State Line in Erie County a distance of about 3.0 miles]

[Route 28056 Beginning at a point on Route 606 about 0.3 of a mile west of Smoketown and extending in an easterly direction through Greene Township by the way of Smoketown to a point on Route 28019 about 0.3 of a mile south of the intersection of Routes 28019 and 28009 at Sharps School in Franklin County a distance of about 1.25 miles]

[Route 28076 Beginning at a point on Route 36 about 0.1 of a mile south of Route 28033 thence in a southeasterly direction through Guilford Township to a point on Route 28020 about 1.0 mile northeast of Application 230 in Franklin County a distance of about 1.1 miles]

[Route 30121 Beginning at a point on Route 30048 about 0.5 miles west of the intersection on Route 30048 and Route 109 thence in a northwesterly direction through Morris Township to a point on Route 30070 about 2 miles south of Beulah Church in Greene County a distance of about 2.4 miles]

Route 32019 Beginning at a point on Route [233 approximately .5 of a mile west of the Village of Clyde in West Wheatfield Township Indiana County] 32018 South of Heshbon thence northwesterly through West Wheatfield Township to a point on the West Wheatfield-Brush Valley Township line in the Village of Heshbon thence northeasterly through Bursh Valley Township to a point on Route 337 in the Village of Mechanicsburg thence northeasterly to the Village of Rice thence northeasterly to a point on the Brush Valley-Cherryhill Township line thence northeasterly through Cherryhill Township to a point on Route 301 approximately .5 of a mile northwest of the Village of Kellers Mill in Indiana County a distance of about [13.1] 11.36 miles

[Route 32029 Beginning at a point on Route 32021 about .5 of a mile northeast of Uherum thence northerly through Buffington Township to an intersection with Route 32027 approximately 2.0 miles south of the Buffington-Pine Township line in Indiana County a distance of about 2.0 miles]

Route 32082 Beginning at a point on Route 63 approximately 1.75 miles southwest of Marion Center Borough in Rayne Township Indiana County thence northerly through Rayne Township to a point on the Rayne-East Mahoning Township line thence northerly and easterly through East Mahoning Township to a [road intersection approximately one mile west of the village of Hamill] point on Route 32081 at Georgeville in Indiana County a distance of about [4] 7.2 miles

[Route 32093 Beginning at a road intersection on the East Mahoning-Grant Township line approximately two miles northwest of the village of Deckers Point in Grant Township Indiana County thence northerly through Grant Township to a point on the Grant Township to a point on the Grant-East Mahoning Township line thence northwesterly through East Mahoning Township to a road intersection 1.5 miles southwest of the Village of Rochester Mills in Indiana County a distance of about 1.2 miles]

[Route 32095 Beginning at a road intersection in the Village of Nashville in Grant Township Indiana County thence easterly through Grant Township to a point on the Grant-Montgomery Township line thence southeasterly through Montgomery Township to a road intersection in the Village of Gorman Summit in Indiana County a distance of about 2.7 miles]

[Route 32116 Beginning at a point on Route 32111 at Goodville thence westerly through West Mahoning Township to connect with Route 03095 on the Indiana-Armstrong County line in Indiana County a distance of about 1.0 mile]

[Route 32122 Beginning at a point on Route 32075 about 0.8 of a mile south of the East Mahoning-Rayne Township line thence in a northwesterly direction through Rayne Township to a point on Route 63 about 0.2 of a mile southwest of its intersection with Route 32082 in Indiana County a distance of about 0.9 of a mile]

Route 32162 Beginning at point on [Route 32095 about 0.1 of a mile east of its intersection with] Route 32077 near Nashville thence in a southeasterly and northeasterly direction through Grant and Montgomery Townships to a point on [Route 32095 about 0.6 of a mile west of its intersection with] Route 32086 in Indiana County a distance of about [2.05] 2.63 miles

[Route 32170 Beginning at a point on Route 32039 about 1.0 mile northeast of Croft thence in a general southeasterly direction through Buffington Township to a point on Route 32027 near its intersection with Route 32029 in Indiana County a distance of about 2.5 miles]

Route 32171 Beginning on the south line of Jacksonville Borough thence southeasterly through Young and Black-

lick Townships to a point on Route 902 in Indiana County a distance of about [9 of a mile] 2.2 miles

Route 33001 Beginning at [the Armstrong County line north of the Indiana County line] a point on Route 33002 west of Porter thence northeast through Porter and Ringgold Townships to Dora thence northeast through Ringgold Township to intersect with Route 33016 in Oliver Township in Jefferson County a distance of about [9.55] 6.51 miles

Route 33014 Beginning on Route 64 in Roseville thence north through Union and Eldred [and Barnett] Townships [by way of Kaletown] to an intersection with Route [248] 33009 at Kaletown in [Barnett] Eldred Township in Jefferson County a distance of about [10.35] 6.76 miles

Route 33015 Beginning at Hamilton Station thence northward through Hamilton in Perry [township] and Oliver Townships to Route [357 at a point about 1.5 miles east of Grange] 33016 where it intersects Route 33018 in Jefferson County a distance of about [3.3] 6.45 miles

[Route 33073 Beginning at a point on Route 63 at McGarey thence in a northwesterly direction through Rose and Closer Townships to a point on Route 33011 at Content in Jefferson County a distance of about 2.7 miles]

[Route 33080 beginning at a point on Route 33011 near Ohl School thence northerly through Rose Township to a point on Route 33012 in Jefferson County a distance of about 1.9 miles]

[Route 33083 Beginning at a point on Route 60-Spur about 0.5 of a mile southeast of the village of Soldier thence in an easterly direction through iWnslow Township to a point on Route 338 about 0.1 of a mile north of the borough of Sykesville in Jefferson County a distance of about 1.4 miles]

Route 34006 Beginning at a point in Spruce Hill Township intersecting Route 45 about one-fourth mile west of Spruce Hill thence northerly to a point intersecting Route 437 about one mile south of Academia thence from a point intersecting Route 437 at Academia easterly through Beale Milford and Turbett Townships to a point intersecting Route 45 about one mile southwest of Port Royal thence from a point intersecting Route 45 about three-fourth mile southwest of Port Royal through Turbett [and Walker Townships] Township to a point on Route 34029 beginning again at a point of intersection with Route 34048 on the north side of the Juniata River thence northerly in Walker Township via Mexico intersecting Route 31 to a point in Walker Township intersecting Route 637 about two and one-half miles west of Van Wert in Juniata County a distance of about [13.87] 13.69 miles

[Route 34043 Beginning at a point on Route 34005 about 0.5 of a mile southwest of McCullough's Mills thence in a southwesterly direction through Tuscarora Township along Willow Run to intersect with a road leading north over Shearer Ridge in Juniata County a distance of about 1.7 miles]

[Route 36141 Beginning at a point on Route 36018 about 0.3 of a mile northwest of its intersection with Route 36019 thence in a northeasterly direction through Little Britain and Colerain Townships to a point on Route 527 about 0.7 of a mile northwest of Octoraro Creek in Lancaster County a distance of about 2.4 miles]

[Route 40064 Beginning at a point on state highway Route 361 at Meeker in Lehman Township thence northwesterly through Lehman and Lake Townships intersecting Route 40065 thence northwesterly and westerly through Lake Township to a point where it intersects state highway Route 177 about .3 of a mile north of Route 369 in Lake Township in Luzerne County a distance of about 3.34 miles]

Route 40086 Beginning at a point on state highway Route 361 [at] near Meeker thence northerly to a point on the Lehman-Lake Township line thence northerly through Lake Township to a point on [the county road] Route 40123 at Outlet School in Luzerne County a distance of about [2] 2.1 miles

Route 40107 Beginning at a point on Route 177 at Ruggles thence southeasterly in Lake Township to a point on Route [40062] 40063 in Luzerne County a distance of about [0.4 of a mile] 1.2 miles

Route 40115 Beginning at a point on Route [40064 near Loyalville] 369 about one mile north of Pike's Creek thence northerly and northeasterly through Lake Township [intersecting Route 40063 about 1.0 mile northwest of] by way of Outlet to a point on Route 177 near Laketon in Luzerne County a distance of about [3.5] 4.26 miles

[Route 41127 Beginning at a point on Route 176 about 2.0 miles west of Oval thence northerly and easterly through Limestone and Bastress Townships to a point on Route 331 near Bastress in Lycoming County a distance of about 4.4 miles]

Route 42009 Beginning at a point on the Bradford city line thence southwest in Bradford Township to [Hazleton Mills] Route 42041 in McKean County a distance of about [5.01 miles] 0.83 of a mile

[Route 42038 Beginning at a point on state-aid application 500 about 1:5 miles west of the western Bradford City-Bradford Township line thence in a southwesterly and southeasterly direction through Bradford Township to a point on Route 42009 about 2.2 miles from the southwestern terminus of the said route in McKean County a distance of about 0.7 of a mile]

Route 43049 Beginning at State Route 208 just east of the overhead crossing of the Bessemer and Lake Erie Railroad and running north through Coolspring Township by way of Elder's Corners to a point on the dividing line between Coolspring and Fairview Townships thence north through Fairview Township via Oak Grove and north in Perry Township to a point of intersection with [the district road at the White School] Route 43105 west of Clark's Mills in Mercer County a distance of about [7.4] 10.2 miles

Route 43057 beginning at a point on Route 208 at Booher's Corners thence north to a point on the dividing line between Sandy Lake and Mill Creek Townships thence north to Mill Creek Township [past the] to the Glen School [to] on Route [43073 at Five Point] 43072 in Mercer County a distance of about [3.96] 2.67 miles

[Route 43085 Beginning at a point on Route 43048 at Hagertys Corner thence easterly through Perry Township to a point on Route 213 about 0.25 of a mile north of the Perry-Fairview Township line in Mercer County a distance of about 1.2 miles]

Route 43088 Beginning at a point on Route [213 about 0.3 of a mile north of the north borough line of Sheakleyville thence in a general northeasterly direction through Sandy Creek Township to a point on the dividing line between Sandy Creek and Deer Creek Townships thence northeasterly through Deer Creek Township by way of Hogue Corners Smiths School and] 43090 near Sumol thence northerly to a point on the dividing line between Mercer and Crawford Counties at Peterson Corners thence easterly on the boundary line of Mercer and Crawford Counties to Heart Corners thence northeasterly through Deer Creek Township by way of Doolittle Corners to a point on the dividing line between Mercer and Crawford Counties thence easterly on the boundary line of Mercer and Crawford Counties through Deer Creek and French Creek Townships to a point on Route 294 at Buchanan Corners in Crawford and Mercer Counties a distance of about [9.3] 7.55 miles

[Route 43089 Beginning at a point on Route 43046 at Fell School Corners thence easterly through Salem Township to the Salem-Sandy Creek Township line at Crouser Corners thence easterly through Sandy Creek township to a point on Route 43067 at Chess Corners in Mercer County a distance of about 2.8 miles]

[Route 43100 Beginning at a point on Route 43043 near the Delaware Township line thence northerly through Fairview and Perry Townships about 1.4 miles to a road intersection thence easterly to a point on Route 43048

about 0.5 of a mile west of Hagertys Corners in Mercer County a distance of about 1.9 miles]

[Route 44011 Beginning at a point in Granville Township about one-half mile northeast of Lock Port thence northerly to a point intersecting Route 44006 about one mile south of Strode's Mills in Mifflin County a distance of about .2 of a mile]

Route 44015 beginning at a point in Decatur Township intersecting Route 28 about one mile east of Wagner thence northerly and easterly through Decatur Township [via Snook] to a point [intersecting Route 44002 about two miles east of Belltown] on the Mifflin-Snyder County line in Mifflin County a distance of about [3.66] 3.22 miles

[Route 44019 Beginning at a point on Route 44001 near Atkinson's Mills thence northwesterly northeasterly and easterly through Wayne Township to a second point on Route 44001 about 0.2 of a mile southwest of the Wayne-Oliver Township line in Mifflin County a distance of about 2.45 miles]

[Route 44021 Beginning at a point on Route 603 about 1.0 mile southwest of Longfellow thence southwesterly and northwesterly through Bratton Township to a second point on Route 603 in Mifflin County a distance of about 0.8 of a mile]

[Route 44022 Beginning at a point on Route 470 in Granville thence northeasterly through Granville Township to a point on Route 44012 in Mifflin County a distance of about 1.3 miles]

[Route 44031 beginning at a point on the north line of Lewistown Borough at Walnut Street thence northwesterly through Derry and Granville Townships about .15 of a mile to a road intersection thence southwesterly to a point on the north line of Lewistown Borough near the intersection of Grand and Ridge Avenues in Mifflin County a distance of about 0.4 of a mile]

[Route 44032 Beginning at a point on Route 44022 at McCoys Ford thence southeasterly through Granville Township to a point on Route 470 in Mifflin County a distance of about 1.6 miles]

[Route 45069 Beginning at a point on Route 461-E near the Middle Smithfield-Smithfield Township line thence northwesterly through Middle Smithfield Township to a point on Route 167 about 0.3 of a mile southeast of Route 45015 in Monroe County a distance of about 1.5 miles]

[Route 45071 Beginning at a point on Route 168 about 0.1 of a mile southeast of Route 561 thence northeasterly and northwesterly through Coolbaugh Township to a point on Route 561 about 0.1 of a mile northeast of Route 168 in Monroe County a distance of about 0.2 of a mile]

Route 45085 Beginning at a point on Route 164 about .9 of a mile east of Broadheads ville thence northeasterly through Chestnut Hill and Hamilton Townships to a point on Route [45021] 164 about [1.2 miles south] one mile north of [Neola] Route 45021 in Monroe County a distance of about [3.4] 4.3 miles

[Route 47021 Beginning at a point on Route 47018 about 0.5 of a mile southwest of Ottawa thence northwesterly through Limestone Township to the intersection with Route 47019 at the Northumberland County line about 1.0 mile south of State Highway Route 240 in Montour County a distance of about 1.6 miles]

[Route 47023 Beginning at a point on State Highway Route 249 about 0.75 of a mile northwest of White Hall thence northwesterly through Anthony Township to the crossing on State Highway Route 453 about 1.25 miles northeast of its intersection with State Highway Route 249 thence northwesterly through Anthony Township to the intersection with Route 47015 about 0.5 of a mile southwest of Lycoming County line in Montour County a distance of about 3.2 miles]

Route 49021 Beginning at a point on State Highway Route 336 at Dornsife thence northeasterly through little Mahanoy township [to its intersection with Route 49079] about 20 miles thence southeasterly through little Mahanoy to the intersection with State Highway Route 336

at Hunters Station in Northumberland County a distance of about [2] 2.6 miles

[Route 49092 beginning at a point on Route 283 about 1.0 mile west of the intersection of routes 283 and 49032 thence in a northwesterly and northeasterly direction through Upper Augusta township of a point on Route 49041 about 1.0 mile northeast of the intersection of Routes 49042 and 49041 in Northumberland County a distance of about 1.5 miles]

Route 49113 beginning at a point on Route 336 about 0.1 of a mile south of Mahantango Creek thence easterly [through] in Little Mahanoy Township [to the intersection with Route 49013 about 0.2 of a mile southeast of Hunters Station in] Northumberland County a distance of [about 2.6 miles] .7 of a mile

Route 50030 Beginning at a point on Route 50004 about 0.6 of a mile south of the Wheatfield-Penn Township line thence in a northeasterly direction to [a road intersection about five hundred feet west of] Aqueduct Station on the Pennsylvania Railroad in Perry County a distance of about [1.20] 1.28 miles

[Route 53106 Beginning at a point on the West Mahanoy Township-Frackville Borough line about 0.1 of a mile west of Route 161 thence in a northerly direction through West Mahanoy Township to the Gilberton Borough line in Schuylkill County a distance of about 0.1 of a mile]

[Route 54062 beginning at a point on Route 25 north of Penns Creek Bridge thence in a general northerly direction through Monroe Township to a point on Route 54013 about 0.7 of a mile northeast of Penns Creek in Snyder County a distance of about 1.2 miles]

Route 57049 beginning at a point on Route 365 Gibson Township approximately .75 of a mile northeast of Gelatt Gibson Township thence easterly through Gibson Township thence northeasterly through Ararat Township [thence southeasterly through Ararat Township] to a point where it intersects Route [57050 near] 57113 northwest of Ararat in Ararat Township in Susquehanna County a distance of about [3.47] 2.6 miles

Route 57079 beginning at a point on Route 316 Forest Lake Township approximately one mile north of Birchardsville thence in a northeasterly direction through Forest Lake Township [crossing county road and Route 57009] to a point where it intersects Route [57080 approximately .75 of a mile northeast of Forest Lake] 57115 in Susquehanna County a distance of about [3.85] 1.28 miles

[Route 57101 beginning at a point on Route 57098 about 1.3 miles north of the intersection of Route 57097 thence in a northeasterly and northerly direction through Auburn Township to a point on Route 57006 in Susquehanna County a distance of about 1.9 miles]

Route 57103 beginning at a point on Route 57014 [about 0.5 of a mile north of] at Lynn thence westerly through Springville Township [crossing Meshoppen Creek thence southerly along Meshoppen Creek] thence northwesterly crossing the Springville-Auburn Township line thence through Auburn Township to a point where it intersects Route 57013 in Susquehanna County a distance of about [4.0] 3.25 miles

Route 57112 beginning at a point on Route [174 about 1.3 miles southeast of Kingsley] 944 at Oakley thence northeasterly through Harford Township to a point on Route 174-Spur in Susquehanna County a distance of about [1.7] 2.4 miles

Route 57138 beginning at a point on Route 57080 just east of the Forest Lake Township line thence northeasterly in Bridgewater Township to Route [842 just south of the Silver Lake Township line] 57078 at Fish mill in Susquehanna County a distance of about [1.6] 2 miles

Route 58051 Beginning at a point on State Highway Route 103 in Lawrence Township approximately [1.0 mile east of Tompkins] .9 of a mile west of Lawrenceville thence southerly [through] in Lawrence [and Tioga Townships] Township [to the intersection with State Highway Route 22 at the northern boundary line of Tioga

Borough in Tioga County a distance of [about 5.2] 2.2 miles

[61061 beginning at a point at the intersections of Route 61020 and Route 61021 at Lottsville thence in a northwesterly and northerly direction through Freehold Township to a point on the New York State line in Warren County a distance of about 3.9 miles]

Route 62205 Beginning at a point on the western line of City of Washington thence aver Euclid Avenue and [McGovern Street] Griffith Avenue in Canton Township to a point on Route 62159 in Washington County a distance of about [0.3] 0.4 of a mile

Route 64235 Beginning at a point on the southeastern line of Latrobe Borough thence in a southeasterly direction through Derry Township to a point on Route 64045 about 0.1 of a mile [west of] at Oakville in Westmoreland County a distance of about 0.3 of a mile

Section 2 Said act is hereby further amended by adding thereto the following new routes

#### Allegheny County

Route 02038 Beginning at a point on Route 807 at its intersection with Kleber Road thence southeasterly along Kleber Road to the old Butler Plank Road thence in a northerly direction along the old Butler Plank Road to a point on Route 72 about 1.1 miles south of the Hampton-Shaler Township line in Allegheny County a distance of about 1.1 miles

Route 02239 Beginning at a point on Route 02097 just south of the Brentwood Borough line thence southerly in Baldwin Township over Willock Road to a point on Route 02099 in Allegheny County a distance of about 1.0 mile

#### Armstrong County

Route 03145 Beginning at a point on Route 03118 at Hillville thence in a general southerly direction along the Allegheny River in Perry and Bradys Bend Townships to a point on Route 214 in Armstrong County a distance of about 5.4 miles

Route 03146 beginning at a point on Route 03023 near Dickey school thence westerly northerly and easterly in Washington Township to a point on Route 03023 in Armstrong County a distance of about 2.4 miles

Route 03147 Beginning at a point on Route 67 about 1.2 miles southeast of Blanket Hill thence in a northeasterly and northerly direction in Kittanning Township to a point on Route 03091 in Armstrong County a distance of about 3.0 miles

Route 03148 Beginning at a point on Route 189 about one mile east of Stonehouse thence northerly in Valley Township to a point on Route 03069 in Armstrong County a distance of about 2.0 miles

Route 03149 Beginning at a point on Route 03067 about 1.7 miles east of the Kittanning Borough line thence northerly in Reyburn Township to a point on Route 66 in Armstrong County a distance of about 2.1 miles

Route 03150 Beginning at a point on Route 03044 just south of Route 03045 thence westerly in Kiskiminitas Township to a point on Route 03043 in Armstrong County a distance of about 1.0 miles

#### Beaver County

Route 04125 Beginning at a point on Route 445 near Gringo thence westerly in Hopewell and Independence Township to a point on Route 04084 in Beaver County a distance of about 1.8 miles

#### Blair County

Route 07060 Beginning at a point on Route 286 south-east of Sharpsburg thence northeasterly in Taylor and Huston Townships to a point on Route 734 about 1.1 miles north of the Huston-North Woodbury Township line in Blair County a distance of about three miles

Route 07061 Beginning at a point on Route 07022 in the village of Royer thence northeasterly in Woodbury Township to a point on Route 260 near the village of Gannister in Blair County a distance of about 4.8 miles

#### Butler County

Route 10137 Beginning at a point on application 3875 at Cabot thence northwesterly through Winfield Township to Route 10031 at Marwood in Butler County a distance of about one mile

Route 10138 Beginning at a point on Route 739 east of Leasureville thence southeasterly in Winfield Township to Route 03102 at the Armstrong County line in Butler County a distance of about 0.6 of a mile

Route 10139 Beginning at the intersection of Routes 10024 and 10023 at Clinton thence westerly and northerly in Clinton Township to a point on Route 10131 in Butler County a distance of about 1.7 miles

#### Cambria County

Route 11097 Beginning at a point on Route 11045 west of Carrolltown thence northerly in West Carroll Township to a point on Route 11047 in Cambria County a distance of about 1.1 miles

#### Cameron County

Route 12010 Beginning at a point on Route 99 about 3 miles southwest of Emporium Borough thence in a northeasterly direction through Shippen Township to a point on Route 99 near the Emporium Borough line in Cameron County a distance of about 3.0 miles

Route 12011 Beginning at a point on Route 105 near Emporium Junction thence easterly in Shippen Township to Sylvan Heights in Cameron County a distance of about 0.4 of a mile

#### Carbon County

Route 13047 Beginning at a point on Route 164 at Harrity thence northerly in Franklin Township to a point on Route 13011 in Carbon County a distance of about 0.6 of a mile

#### Centre County

Route 14060 Beginning at a point on Route 14037 east of Philipsburg thence southerly in Rush Township to a point on application 1286 in Centre County a distance of about .4 of a mile

Route 14061 Beginning at a point on Route 14020 near Linden Hall thence southerly in Harris Township to a point on Route 14018 in Centre County a distance of about .5 of a mile

#### Clarion County

Route 16101 Beginning at a point on Route 16050 south-east of Fryburg thence northerly in Washington Township to a point on the Clarion-Forest County line in Clarion County a distance of about 3.0 miles

Route 16102 Beginning at a point on Route 248 north-west of Tylersburg thence northwesterly in Farmington and Washington Townships to a point on Route 92 at Newmanville in Clarion County a distance of about 3.1 miles

Route 16103 Beginning at a point on Route 218 just east of Elk City thence southeasterly and southerly in Elk and Beaver Townships to a road intersection in Clarion County a distance of about 3.5 miles

Route 16104 Beginning at a point on Route 16009 east of Kingsville thence southeasterly in Limestone Township to a road intersection in Clarion County a distance of about 2.1 miles

Route 16105 Beginning at a point on Route 553 west of New Bethlehem thence westerly in Porter Township Clarion County a distance of .8 of a mile

Route 16106 Beginning at a point on Route 16057 at Wolfs Corners thence northwesterly in Washington Township to a point on the Forest County line in Clarion County a distance of about 1.4 miles

#### Clearfield County

Route 17131 Beginning at a point on Route 234 just north of Coalport Borough thence in a general easterly direction in Beccaria Township to a point on Route 17033 near Utahville in Clearfield County a distance of about 3.8 miles

Route 17132 Beginning at the intersection of Route 17033 and Route 17034 in Utahville thence southwesterly in Beccaria Township Clearfield County a distance of one mile

Route 17133 Beginning at a point on Route 17049 in coal Run thence westerly in Decatur and Woodward Townships to a point on Route 17047 in Clearfield County a distance of about 3.4 miles

Route 17134 Beginning at a point on Route 17051 north of its intersection with Route 17117 thence westerly and southerly in Lawrence Township to a point on Route 17117 Clearfield County a distance of about .5 of a mile

Route 17135 Beginning at a point on Route 234 near Sterling thence northerly in Woodward Township to a point on the south line of Brisbin Borough in Clearfield County a distance of about .2 of a mile

Route 17136 Beginning at a point on Route 17056 north of Osceola Mills Borough thence southerly in Decatur Township to a point on the Decatur Township-Osceola Mills Borough line at Curtain Street Beginning again on the Decatur Township-Osceola Mills Borough line at Coal Street thence southerly in Decatur Township to a point on Route 234 in Clearfield County a distance of .75 of a mile

#### Clinton County

Route 18046 Beginning at a point on Route 18006 just south of Tylersville thence northeasterly in Logan Township to a point on Route 18027 near Greenburr Clinton County a distance of about 4.0 miles

#### Crawford County

Route 20151 Beginning at a point on Route 20104 near Sheldadine Springs thence northeasterly in Oil Creek and Rome Townships to a point on Route 20120 about one mile east of Vrooman in Crawford County a distance of about 3.3 miles

Route 20152 Beginning at a point on Route 20035 east of Kastars Corners thence northerly and easterly in Wayne and Jackson Townships to a point on Route 20032 near Wilsons Mills in Crawford County a distance of about 4.8 miles

#### Cumberland County

Route 21096 Beginning at a point on Route 21051 just west of its intersection with Route 30 thence northwesterly and westerly in East Pennsboro Township in Cumberland County a distance of 1 mile

Route 21097 Beginning at a point on Route 507 just west of the Mechanicsburg Borough line thence easterly in Monroe Township to a point on the Mechanicsburg Borough line in Cumberland County a distance of about .05 of a mile

#### Elk County

Route 24032 Beginning at a point on Route 24012 near Mt Zion Church thence in a general southeasterly direction in Jay Township to a point on Route 411 near Caledonia in Elk County a distance of about 2.2 miles

Route 24033 Beginning at a point on Route 24013 just north of Application 1247 thence northeasterly in Benzinger Township to a point on the Cameron County line in Elk County a distance of about 9.3 miles

#### Erie County

Route 25127 Beginning at a point on Route 85 about .7 of a mile north of the Crawford-Erie County line thence easterly in Conneaut and Elk Creek Townships to a point on Route 25009 in Erie County a distance of about 2.5 miles

#### Fayette County

Route 26177 Beginning at a point on Route 26057 at Emme thence southerly in Springhill Township to the West Virginia State Line in Fayette County a distance of about 2.7 miles

#### Franklin County

Route 28087 Beginning at a point on Route 43 near

Black Gap thence westerly in Greene and Guilford Townships to a point on Route 43 near the Pennsylvania Railroad in Franklin County a distance of about 3.18 miles

#### Greene County

Route 30094 Beginning at a point on Route 109 about 1.5 miles southeast of Ninevah thence northeasterly in Morris Township a distance of about 1.6 miles to a road intersection thence easterly to a point on Route 30011 about 1.5 miles southeast of Deerlick in Greene County a distance of about 2.7 miles

#### Huntingdon County

Route 31106 Beginning at a point on Route 31069 near Huntingdon Furnace thence southerly in Franklin Township to a point on Route 346 near Colerain Forge in Huntingdon County a distance of about 2.0 miles

#### Indiana County

Route 32172 Beginning at a point on Route 32090 about .5 of a mile east of Route 32089 thence northerly in East Mahoning Township to a point on Route 32089 in Indiana County a distance of about 1.3 miles

Route 32173 Beginning at a point on Route 32001 east of Saltsburg Borough thence southwesterly in Conemaugh Township to the village of White in Indiana County a distance of about 1.5 miles

Route 32174 Beginning at a point on Route 32076 west of Purchase line thence northerly in Green and Grant Townships to a point on Route 32084 in Indiana County a distance of about 2.1 miles

Route 32175 Beginning at a point on Route 32071 near Taylorville thence southerly in Green Township to a point on Route 262 in Indiana County a distance of about 0.7 of a mile

Route 32176 Beginning at a point on Route 32084 just west of the Grant-Montgomery Township line thence northerly and easterly in Grant and Montgomery Townships to a point on Route 32086 just south of Wilgus in Indiana County a distance of about 2.5 miles

Route 32177 Beginning at a point on Route 32097 about .7 of a mile north of the west Mahoning-South Mahoning Township line thence easterly in West Mahoning Township to a point on Route 32101 in Indiana County a distance of about 3.7 miles

Route 32178 Beginning at a point on Route 32052 about one mile north of Penn Run thence northwesterly in Cherryhill Township to the Methodist Church in Indiana County a distance of about 1.3 miles

#### Jefferson County

Route 33091 Beginning at a point on Route 33029 just south of Route 33033 thence northerly in Winslow and Washington Townships to a road intersection in Jefferson County a distance of about 1.7 miles

Route 33092 Beginning at a point on Route 33038 south of its intersection with Route 33064 thence northeasterly in Washington Township to a point on Route 33044 near the Baltimore and Ohio Railroad crossing in Jefferson County a distance of about 3.0 miles

Route 33093 Beginning at a point on Route 33002 near Porter thence easterly in Porter and Perry Townships to a point on Route 33055 west of Hamilton in Jefferson County a distance of about 4.9 miles

#### Juniata County

Route 34062 Beginning at a point on Route 34020 south of Cocolamus thence easterly in Fayette and Monroe Townships to a point on Route 34011 about one mile south of Evendale in Juniata County a distance of about 2.65 miles

Route 34063 Beginning at a point at the intersection of Routes 349 and 45 southwest of Port Royal Borough thence westerly and southerly in Milford Township to a point on Route 34006 in Juniata County a distance of about 3.5 miles

## Lackawanna County

Route 35068 Beginning at a point on Route 533 at Justus Corners thence northerly in Scott Township to a point on Route 35034 west of Green Grove in Lackawanna County a distance of 1.9 miles

## Lancaster County

Route 36182 Beginning at a point at the intersection of Route 442 and Route 442 Spur E in the village of Overbrook thence easterly through Manheim Township to a point on Route 36041 in the village of Roseville in Lancaster County a distance of about 0.9 of a mile

Route 36183 Beginning at a point on Route 215 about 1.1 miles east of the intersection of Routes 142 and 215 thence northerly and westerly through East Lampeter and Manheim Townships via Greenfield Station and Eden to a point on Route 36041 about 0.75 of a mile northeast of the village of Glenmore in Lancaster County a distance of about 5.77 miles

## Lawrence County

Route 37083 Beginning at a point on Route 350 east of concrete bridge in Wurtemberg thence northerly in Perry Township to Slippery Rock Creek thence in Wayne Township approximately paralleling Slippery Rock Creek to the entrance of the Salvation Army Camp in Lawrence County a distance of about 1.8 miles

## Lehigh County

Route 39120 Beginning at a point on Route 39057 at the Heidelberg-Washington Township line thence northeasterly in Washington Township to a point on Route 39054 about .75 of a mile southeast of Peters store in Lehigh County a distance of about 1.7 miles

## Luzerne County

Route 40128 Beginning at a point on Route 177 just north of Route 369 thence easterly in Lake Township to a point on Route 40115 south of Loyalville in Luzerne County a distance of about 0.9 of a mile

Route 40129 Beginning at a point on Route 40123 near its intersection with Route 40086 thence northerly in Lake Township to a point on Route 40063 in Luzerne County a distance of about .2 of a mile

Route 40133 Beginning at a point on Route 40046 at Ridgewood thence easterly in Plains Township to a point on Route 515 in Luzerne County a distance of about 0.9 of a mile

## Lycoming County

Route 41146 Beginning at a point on Route 41117 about 0.9 of a mile south of Route 41015 thence southwesterly through Armstrong Township to the property of Williamsport Municipal Water Authority in Lycoming County a distance of about 0.8 miles

Route 41147 Beginning at a point on Route 41026 about 0.8 of a mile north of Route 23 thence northwesterly through Woodward Township to a point on Route 41025 in Lycoming County a distance of about 1.20 miles

Route 41148 Beginning at a point on the northern boundary of the city of Williamsport near the northeastern corner thence northwesterly through Loyalsock Township to a point on Route 41093 in Lycoming County a distance of about 2.3 miles

Route 41149 Beginning at a point on Route 41061 about 0.2 of a mile south of Route 355 thence easterly through Muncy Township to a point on Route 41066 in Lycoming County a distance of about 1.5 miles

## McKean County

Route 42047 Beginning at a point on Route 42006 at Backus thence southerly and southwesterly in Keating and Hamlin townships to a point on Route 42005 in McKean County a distance of about 4.75 miles

## Mercer County

Route 43113 Beginning at a point on the Lawrence

County line 2.25 miles east of New Wilmington thence northeasterly through Wilmington Springfield and East Lackawannock Townships to a point on Route 246 about 2.5 miles south of Mercer in Mercer County a distance of about 5 miles

## Mifflin County

Route 44037 Beginning at a point on Route 44001 about 1.8 miles northeast of Newton Hamilton Borough thence northerly in Wayne Township to a point on Route 44001 about one mile southeast of Atkinson Mills in Mifflin County a distance of about 3.0 miles

Route 44038 Beginning at a point on Route 44001 near Strode's Run thence northeasterly in Granville Township to a point on Route 44013 in Mifflin County a distance of about 3.5 miles

## Monroe County

Route 45089 Beginning at a point on Route 168 in the village of Tobyhanna thence northwesterly in Coolbaugh Township to a point on Route 45036 in Monroe County a distance of about 1.5 miles

## Montour County

Route 47038 Beginning at a point on Route 240 just north of the Valley-Derry Township line thence westerly through Derry Township and southwesterly in Liberty Township to a point on Route 47004 just south of Chillisquaque Creek in Montour County a distance of about 2.7 miles

Route 47039 Beginning at a point on Route 47015 north of the Anthony-Derry Township line thence westerly in Anthony Township to a point on Route 240 in Montour County a distance of about 1.2 miles

Route 47040 Beginning at a point on Route 47010 about .75 of a mile north of Route 3 thence southwesterly in Mahoning Township to a point on the east line of Danville Borough in Montour County a distance of about 2.5 miles

## Northampton County

Route 48101 Beginning at a point on Route 48088 near the Bushkill-Plainfield Township line thence easterly in Bushkill and Plainfield Township to a point on the west line of Wind Gap Borough in Northampton County a distance of about .7 of a mile

## Northumberland County

Route 49125 Beginning at a point on Route 49031 north of Route 161 thence easterly in Upper Augusta Township to a point on Route 49032 in Northumberland County a distance of about 2.9 miles

Route 49126 Beginning at a point on Route 635 east of Route 49059 thence northerly and easterly in Turbot Township to a point on Route 49094 in Northumberland County a distance of about 1.7 miles

## Perry County

Route 50052 beginning at a point on Route 305 about 0.1 of a mile north of Big Buffalo Creek thence southwesterly in Junata Township to a road intersection in Perry County a distance of about 0.2 of a mile

## Schuylkill County

Route 53117 Beginning at a point on Route 53097 just south of Barnesville thence westerly in Rush and Ryan Townships to a point on Route 53036 in Schuylkill County a distance of about 1.15 miles

Route 53118 beginning at a point on Route 161 just east of the Girardsville borough line thence northwesterly in Butler Township to a point on the Girardville borough line in Schuylkill County a distance of about 0.1 of a mile

## Snyder County

Route 54071 beginning at a point on Route 54014 about one mile south of Verdilla thence southeasterly in Union Township to a point on Route 54018 in Snyder County a distance of about 1.6 miles

## Susquehanna County

Route 57152 beginning at a point on Route 227 east of Burnwood thence northerly and easterly in Ararat Township to a point on Route 296 about one mile south of Route 57051 in Susquehanna County a distance of about 1.8 miles

Route 57153 beginning at a point on Route 371 just north of Comfort Lake thence northerly in Harmony Township to a point on Route 296 near Stevens point in Susquehanna County a distance of about 3.1 miles

Route 57154 beginning at a point on Route 57029 about one mile north of the Lenox-Hartford Township line thence easterly and northeasterly in Harford and Gibson townships to a point on Route 57046 about three miles south of Gibson in Susquehanna County a distance of about 3.7 miles

## Tioga County

Route 58115 Beginning at a point on Route 21 near its intersection with Route 58039 thence northeasterly in Bloss and Hamilton Townships to the Blossburg Borough line in Tioga County a distance of about 0.3 of a mile

Route 58122 Beginning at a point on Route 22 at the northern Boundary line of Tioga Borough thence northwesterly in Tioga Township Tioga County a distance of about 1.08 miles

## Venango County

Route 60077 Beginning at a point on Route 207 near McCune thence southeasterly in Canal and Sugar Creek Townships to a point on Route 90 near Sugar Creek in Venango County a distance of about 6.9 miles

## Warren County

Route 61069 Beginning at a point on Route 61038 about .6 of a mile east of Route 94 thence northeasterly in Grove and Elk Townships to a point on Route 61039 north of Germany in Warren County a distance of about 6.3 miles

Route 61070 Beginning at a point on Route 61020 near Wrightsville thence easterly in Freehold Township to a point on Route 61022 in Warren County a distance of about 1.4 miles

Route 61071 Beginning at a point on Route 61020 about 1.2 miles north of Wrightsville thence northeasterly in Freehold Township to a township road in Warren County a distance of about 2.8 miles

## York County

Route 66206 Beginning at a point of Route 66001 about one-half mile west of the Monaghan-Fairview Township Line thence northerly and easterly in Monaghan Township and northerly in Fairview Township to a point on the York-Cumberland County line in York County a distance of about 1.75 miles

Section 3 The highways established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act when the same shall become effective and shall be taken over not later than the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett,	Haluska,	Neff,	Taylor,
Berger.	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman.	Homsher,	Robinson,	Wagner,

Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Rosenfeld,  
Ruth,  
Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 552, as follows:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefore regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and in public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefore regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" and its amendments are hereby deleted as indicated or amended to read as follows

[Beginning at a point on the intersection of Fifth Avenue and Hartman Street thence along Hartman Street

to a point on the line dividing the city of McKeesport from Versailles Township beginning again at the intersection of Thirty-Seventh Street and McCarrell Avenue on the line dividing Versailles Township and McKeesport City thence over Thirty-Seventh Street to the intersection with Walnut Street on the line dividing McKeesport City and Versailles Township in the city of McKeesport a distance of about .7 of a mile]

Beginning at a point on the North Line of Eden Park borough at 37th Street thence over Walnut Street and Lysle Boulevard to the intersection of Fifth Avenue and Hartman Street thence eastwardly along Fifth Avenue to the McKeesport City-Versailles Township line East of Lime Street in the City of McKeesport a distance of about [.5 of a mile] 5.18 miles

Beginning at a point at the intersection of Taylor Street extension and East Washington Street thence southwest on Taylor Street extension to Cunningham Avenue thence West on Taylor Street to Neal Street thence North on Neal Street to Grove Street thence West on Grove Street to [Croton Avenue Extension] Jefferson Street in the city of New Castle Lawrence County a distance of about [0.9 of a] one mile [provided the above route shall not be taken over until the entire route shall have been laid out and opened to traffic]

Section 2 Said act is hereby further amended by adding thereto the following new routes Beginning at a point on the Corry City-Concord Township Line thence over West Washington Street to North Center Street in the City of Corry a distance of about .99 of a mile

Beginning at a point on the northern line of Williamsport at Chestnut Street thence southerly over Chestnut Street to Four Mile Drive in the City of Williamsport Lycoming County a distance of about 0.06 of a mile

Section 3 The streets established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the approval of this act but shall be taken over not later than the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 556, as follows:

An Act relating to property owned by cities of the Second class A authorizing special funds for its maintenance and authorizing council to insure against liability arising out of the ownership or control of such property The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The councils of cities of the second class A are hereby authorized and empowered to purchase contracts of liability insurance protecting such cities from liability arising out of the ownership or control of any property to which it has title in fee or through a city treasurers sale on delinquent taxes

Section 2 The councils of cities of the second class A are hereby authorized and empowered to appropriate moneys to a special fund to be used in maintaining properties to which such cities have secured title through a city treasurer's sale on delinquent taxes

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 557, as follows:

An Act providing for the compensation of the mayor council and appointed officers in cities of the second class A

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The city council in cities of the second class A shall fix the salary of the mayor the members of council the controller and appointed city officers The salary of the mayor shall be not more than seven thousand five hundred dollars (\$7,500) per annum the salary of each member of council shall be not more than four thousand dollars (\$4000) per annum the salary of the controller shall be not more than four thousand five hundred dollars (\$4500) per annum and the salaries of appointed city officers shall not exceed five thousand dollars (\$5000) per annum

Section 2 The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 405) entitled "An act fixing the salary of the mayor and members of the council in cities of the second class A" is hereby repealed

An said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House bill No. 656, as follows:

An Act to further amend subsection (b) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P L 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates adermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by changing the total maximum height of vehicles and loads

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P L 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon

the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P L 1135) is hereby further amended to read as follows

#### Section 902 Size of Vehicles and Loads

\* \* \* \* \*

(b) No vehicle except vehicles used exclusively to repair overhead lights and wires and fire department equipment shall exceed a total maximum height including any load thereon of one hundred fifty (150) inches but nothing herein contained shall be construed to require the public authorities to provide sufficient vertical clearance to permit the operation of such vehicles excepting that until but not after January first one thousand nine hundred forty-one any vehicle properly registered in Pennsylvania on the effective date of this act may be of a total height including any load thereon of one hundred seventy-four (174) inches Provided however That any motor bus operated within a municipality or in a business or residence district may be of a total height including any load thereon of one hundred seventy-four (174) nches and any vehicle carrying motor vehicles may be of a total height including any load thereon of one hundred sixty-two (162) inches

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 657, as follows:

An Act to amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled as amended "A supple-

ment to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities towns townships and boroughs within this Commonwealth" by providing for the distribution of certain accumulations in the fire insurance tax fund to cities towns townships and boroughs for payment to firemen's relief pension and retirement funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled as amended "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities towns townships and boroughs within this Commonwealth" as last amended by the act approved the twenty-eight day of June one thousand nine hundred forty-seven (P. L. 992) and by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1240) is hereby further amended to read as follows

Section 2 (A) On and after the first day of January one thousand nine hundred and nineteen and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several cities towns townships and boroughs within the Commonwealth the entire net amount received from the two per centum tax paid upon premiums by foreign insurance companies The amount to be paid to each of the treasurers of the several cities towns townships and boroughs shall be based upon the return of said two percentum tax upon premiums received from foreign fire insurance companies doing business within the said cities towns townships and boroughs and shall be proportionate to the premiums received by such companies on account of insurance written upon property located in such city borough town or township as shown by the report made to the Department of Revenue Each city borough town or township receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received to the relief fund association of or the pension fund covering the employees of the fire department or of such fire company or fire companies paid or volunteer now existing or hereafter organized in such city borough town or township as is or are engaged in the service of such city borough town or township and duly recognized as such by the council or commissioners or supervisors as the case may be of such city borough town or township in any borough town or township in which there is no fire department or fire company or companies the amount received by the Treasurer of the borough town or township from said tax shall be forthwith paid to the relief fund association or pension fund of the fire department or fire company or companies of any near or adjacent city borough town or township the fire department or fire company or companies of which afford fire protection to the inhabitants of such borough town or township Before payment of said tax to the treasurer of any such borough town or township the burgess in boroughs and the secretary of the board of supervisors in town or townships shall first certify to the Auditor General that the fire department or fire company or companies of such near or adjacent city borough town or township afford fire protection to the inhabitants of such borough town or township Provided That if the fire department consists of paid and volunteer firemen and the paid fire-

men shall be covered by a pension fund then the two per centum tax aforesaid shall be divided equally between the relief fund association of the volunteer firemen and the pension fund for the paid firemen Warrants for the above purposes shall be drawn by the Auditor General payable to the treasurers of the several cities towns townships and boroughs in accordance with this act whenever there are sufficient funds in the State Treasury to pay the same All such fire insurance companies shall instruct their agents to place upon the said policies the exact city borough town or township wherein the insured property is located

(b) All surplus moneys accumulated in the State Treasury set aside by the State Treasurer and held in or repayable in accordance with existing laws into the Fire Insurance Tax Fund other than interest credited to such fund which remains as an undistributed surplus in such fund and has been accumulated by the thirty-first day of May one thousand nine hundred forty-nine shall be paid out to those under law entitled to distribution as of the thirty-first day of December one thousand nine hundred forty-eight and in the same ratio as regular annual payments were made in that year but such surplus shall not include any sums certified by the Department of Revenue for distribution in the year one thousand nine hundred forty-nine thereafter a like distribution of such surplus shall be made on the thirty-first day of December of each year to those entitled to distribution as of the thirty-first day of December of the preceding year and in the same ratio as regular annual payments were made in that year each city town township and borough treasurer receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received to the relief fund pension fund or retirement fund of the department or fire company or companies paid or volunteer organized in such city town township or borough as is or are engaged in the service of such city town township or borough and duly recognized as such by the corporate authorities thereof except that cities of the first class receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received to the Firemen's Pension Fund only

Section 2 The act approved the tenth day of June one thousand nine hundred forty-seven (Appropriation Act Page 24 No 15-A) entitled "An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to Firemen's Relief Pension and Retirement Funds" is hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett.	Haluska.	Neff.	Taylor.
Berger.	Hare.	Pechan.	Toole.
Blass.	Holland.	Peelor.	Wade.
Chapman.	Homsher.	Robinson.	Wagner.
Crowe.	Kephart.	Rosenfeld.	Walker.
Dent.	Lane.	Ruth.	Watkins.
Diehm.	Leader.	Scarlett.	Watson.
DiSilvestro	Letzler.	Snowden.	Wolfe.
Doehla.	Lord.	Stevenson.	Wood, L. H.,
Donlan.	Mahany.	Stiefel.	Wood, T. N.,
Farrell.	Mallery.	Tallman.	Yosko.
Frazier.	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 668, entitled:

An Act to amend sections two and three of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" by authorizing direct purchases in certain cases

And said bill having been read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 3), page 3, line 14, by inserting after the word "House" the following: "with the approval of the Speaker or President Pro Tempore thereof"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILLS OVER IN ORDER

Mr. WALKER. Mr President, I ask unanimous consent that House Bill No. 668, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 772, on third reading, entitled:

An Act to further amend subsection (b) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by making further provision for the compensation of judges inspectors clerks and machine inspectors at primaries and elections in counties of the fifth class

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 780, as follows:

An Act to further amend sections one seven and eighteen of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by changing the definitions of "week" and "day" and by deleting the wartime provision increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provision

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 389) is hereby further amended to read as follows

Section 1 [Be it enacted &c that the] The term "establishment" when used in this act shall mean any place within this Commonwealth where work is done for compensation of any sort to whomever payable

The term "person" when used in this act shall be construed to include any individual partnership or other unincorporated association corporation Commonwealth and any political subdivision thereof

The term "week" when used in this act shall mean seven consecutive days which may begin on any day of a week and which shall begin on the same calendar day each week [and the] the term "day" shall mean any twenty-four consecutive hours [which may begin at any hour of a day]

Section 2 Section seven of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P L 389) is hereby further amended to read as follows

Section 7 No female shall be employed or permitted to work for more than five hours continuously in or in connection with any establishment without a meal or rest period of at least thirty minutes which period shall not be considered a part of the hours of labor and no period of less than thirty minutes shall be deemed to interrupt a continuous period of work

Employees shall not be required to remain in the work-rooms during the meal or rest periods required by this section [Provided however That where the strict application of the thirty minutes' meal or rest period impedes or interferes with the war effort the Department of Labor and Industry with the approval of the Industrial Board may suspend the provisions of this section]

Section 2 Section eighteen of said act as amended by the act approved the eighteenth day of April one thousand nine hundred twenty-nine (P. L. 617) is hereby further amended to read as follows

Section 18 Any person who whether by himself or for another or through an agent servant or foreman shall violate any provisions of this act shall be subject to the following penalties

Upon conviction for violation of any provision of sections three four five six or seven of this act he shall be punished for a first offense by a fine of not less than ten (\$10) dollars and costs or more than fifty (\$50) dollars and costs and upon nonpayment thereof be imprisoned in the county jail for not more than ten days for a second or subsequent offense by a fine of not less than twenty-five (\$25) dollars and costs or more than two hundred (\$200) dollars and costs and upon nonpayment thereof by imprisonment in the county jail for not more than sixty days and whenever any person shall have been notified by the Department of Labor and Industry or by the service of a summons in a prosecution that he is violating such provision he shall be punished by like penalties in addition for each and every day that such violation shall have continued after such notification

Upon conviction for a violation of any of the provisions of sections eight nine ten eleven twelve thirteen fourteen or fifteen of this act the punishment shall be without regard to the number of females employed for a first offense not less than twenty-five (\$25) dollars and costs or more than fifty (\$50) dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more than twenty days for a second or subsequent offense a fine or not less than fifty (\$50) dollars and costs or more than two hundred (\$200) dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more than sixty days and whenever any person shall have been notified by the Department of Labor and Industry that he is violating such provisions and shall have been given a reasonable time in which to remedy the condition which shall constitute such violation he shall be punished in addition to the penalties aforesaid by like penalties for each and every day that such violation shall have continued after the expiration of the time allowed by the Department of Labor and Industry for remedying the aforesaid condition Provided

First That any person who shall demand evidence such as shall be required by law for the issuing of employment certificates to minors that any applicant for employment or permission to work in or in connection with his establishment is [twenty-one] eighteen years of age and shall receive the same before employing or permitting such applicant to work and who shall have kept the same on file and in the case of such applicant shall have complied with all the requirements of this act applying to a female of the age stated in such evidence of age shall not be liable to punishment for the violation of section five of this act though it shall subsequently appear that such applicant was in fact less than [twenty-one] eighteen years of age Provided That this provision shall not apply to any person who shall demand and receive the evidence herein provided for if he knows at the time of receiving such evidence that the applicant is in fact less than [twenty-one] eighteen years of age nor shall this provision prevent the punishment of any person for violating section five of this act after knowledge of the true age of the female employed

Second Whenever a violation of any provision of this act shall also be a violation of another provision or other provisions of this act penalties may be imposed for the violation of each and every such provision

Third That under no circumstances shall any person be sentenced to imprisonment for more than one year for any one violation of this act

Fourth That whenever a violation of any of the provisions of this act shall also be a violation of the laws of this Commonwealth regulating the hours of labor and

conditions of employment of minors penalties shall be imposed under only one of such acts

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 786, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P L 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the cost price per copy of publications for distribution to the public

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (j) of section two thousand four hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P L 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and of-

ficers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P L 1865) is hereby further amended to read as follows

Section 2406 Publications The Department of Property and Supplies shall have the power and its duties shall be

(j) To distribute to the public upon payment to the department of such sum per copy as shall cover the cost of publication any documents published by the department for the Commonwealth or any department board commission or officer thereof which shall cost more than [five] ten cents per copy to publish except documents published for the Governor and the General Assembly which shall be distributed without charge as heretofore To administer this subsection the department may publish for free distribution to applicants therefore a price-list showing the publications which the department is prepared to furnish to the public and the charges for each such document All moneys collected by the department hereunder shall be paid through the Department of Revenue into the General Fund in the State Treasury except that if the cost of publishing any document sold by the department hereunder shall have been paid out of any special fund in the State Treasury the proceeds of the sale thereof shall be paid into such special fund through the Department of Revenue

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 839, as follows:

An Act to amend section twelve of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employee retirement system in counties of the third class and imposing certain charges on counties" by providing for the right to designate beneficiaries after the time of retirement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the third class and imposing certain charges on counties" is hereby amended to read as follows

Section 12 Options on Superannuation Retirement At the time of his superannuation retirement any beneficiary may elect to receive his retirement allowance payable throughout life or if such retirement allowance shall amount to less than ten dollars per month he may elect to receive the full amount of the accumulated deductions standing to his individual credit in the member's annuity reserve account or he may in any event elect to receive the actuarial equivalent of his member's and county annuity in a lesser retirement allowance payable throughout life with provisions that

Option One If he die before receiving in payments the present value of his member's annuity and county annuity as it was at the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement or at anytime thereafter

Option Two Upon his death his member's annuity and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his retirement

Option Three Upon his death one-half of his member's and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 869, as follows:

An Act to further amend section three hundred twenty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by permitting certain county employes of county correctional institutions in counties of the second class to be credited for previous service  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred twenty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 365) is hereby further amended to read as follows

Section 325 Reinstatement and Requirements for Credit for Previous Service Should any county employe who has withdrawn his contribution paid into the retirement fund desire to be reinstated and again become a member thereof he or she may do so by payment in full of the amount withdrawn with interest at the legal rate the said interest to be computed from the date of withdrawal to the date of repayment Both principal and interest shall be paid into the retirement fund at one time and in one amount In addition each such county employe shall pay the assessments provided for in section three hundred and eighteen of this act Any county employe who desires to be given credit for previous service in the employe of the county as an elected or appointed employe or official where such service was rendered to the county at a time when a retirement system was not in existence or when such employe was not a member of the county retirement system shall make application to the the Retirement Board and upon approval thereof shall pay into the retirement fund a sum equal to twice the payment which such employe would have made had the retirement system been in effect or had such person been a member thereof and had the payments been made in accordance with the provisions of this act In addition thereto interest at the legal rate shall be paid from the date when the said monthly payment would have been made Thereafter such county employe shall make monthly payments in accordance with the provisions of section three hundred and eighteen of this act Any person employed by any county correctional institution at the date such person became eligible for membership in the county retirement system who desires to be given credit for previous service in the employe of such institution when such employe was not eligible for membership shall make application to the Retirement Board and upon approval thereof shall pay into the retirement fund a sum equal to twice the payment which such employe would have made had the retirement system been in effect or had such person been a member thereof and had the payments been made in accordance with the provisions of this act in addition thereto interest at the legal rate shall be paid from the date when the said monthly payment would have been made thereafter such county employes shall make monthly payments in accordance with the provisions of section three hundred eighteen of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No 871, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulauing the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of thsi act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon countes providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds providing for additional examinations for school bus operators and further regulating safety requirements for school buses the meeting or overtaking of school buses while taking on or discharging school children and the establishment of off the highway loading zones by school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulauing the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department

of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding immediately following section six hundred eight thereof a new section to read as follows

#### Section 608.1 Additional Examinations for School Bus Operators

After the first day of July one thousand nine hundred fifty no person shall operate a school bus carrying school children on the highways of this Commonwealth unless he (1) shall have satisfactorily passed an additional examination for school bus operators to be given by the secretary or such agency as he may direct establishing his fitness and competency to operate such school bus with safety and his knowledge of the laws and regulations relating to the operation of school buses (2) carries a currently valid school bus operator's certificate issued by the secretary pursuant to such examination (3) has satisfactorily passed a physical examination to be given annually at the beginning of every school year by the physician for the school district by which he is employed and (4) carries a currently valid certificate issued by the examining physicians indicating that he has passed the prescribed physical examination the provisions of this section shall not apply to operators employed by any person or company subject to the jurisdiction of the Pennsylvania Public Utility Commission

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than twenty-five dollars (\$25) and not more than fifty dollars (\$50) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not less than ten (10) days and not more than twenty-five (25) days

Section 2 Clause (7) of subsection (b) of section eight hundred twenty-eight of said act as last amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1170) is hereby further amended and two clauses are hereby added immediately following clause (8) thereof to read as follows

#### Section 828 School Buses Safety Requirements

\* \* \* \* \*

(b) No person shall own or operate a school bus carrying school children on the highways of this Commonwealth in a school bus that in addition to the other requirements of this act does not conform with the following

\* \* \* \* \*

(7) Every school bus shall be of a uniform color which shall be orange and every such bus shall be labeled both in the front and in the rear with black letters not less than six (6) inches in height with the words "School Bus" showing to the outside any school bus purchased or repainted after the effective date of this amendment shall be of a uniform color of national school bus chrome and every school bus shall be labeled both in front and in the rear with black letters not less than eight inches in height with the words "School Bus" showing to the outside When a school bus is being operated upon a highway other than for the transportation of school children either to or from school all the labels containing the words "School Bus" shall be removed covered or concealed

\* \* \* \* \*

(9) Every school bus shall be equipped with two electrical or mechanical stop signal devices one to the front and one to the rear thereof in addition to the stop signal devices otherwise required by this act Each such additional device shall be plainly visible to operators of ap-

proaching vehicles in normal sunlight and at night from a distance of one hundred (100) feet to the front or rear as the case may be shall not project a glaring light and shall be of types approved by the secretary

(10) Every school district transporting pupils by school bus shall establish and maintain at or near all schools to or from which pupils are transported off the highway loading zones

(11) The provisions of clause (7) of this section requiring labeling shall apply to all buses when used exclusively for the transportation of school children whether or not the bus is owned and operated by a person or company subject to the jurisdiction of the Pennsylvania Public Utility Commission but none of the other provisions of said clause or of clause (9) of this section shall apply to buses subject to the jurisdiction of the public Utility Commission

Section 3 Subsection (b) of section one thousand seventeen of said act as amended by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1056) is hereby further amended to read as follows

#### Section 1017 Passing Street Cars

\* \* \* \* \*

(b) No operator of a vehicle who meets or overtakes a street passenger car [or school bus] that has stopped for the purpose of taking on or discharging passengers shall pass said car [or school bus] on the side on which the passengers get on or off until the car [or school bus] has started and until any passengers who may have alighted have reached the side of the highway except that where a safety zone has been established or at an intersection where traffic is controlled by a peace officer or a traffic signal a vehicle need not be brought to a full stop before passing any such railway interurban street car [or school bus] but may proceed past such car [or school bus] at a speed not greater than is reasonable or proper and in no event greater than ten (10) miles an hour and with due caution for the safety of pedestrians

Section 4 Said act is hereby amended by adding immediately following section one thousand seventeen thereof a new section to read as follows

#### Section 1017.1 Passing School Buses

The driver of a vehicle when approaching the front or rear of a school bus conforming to the requirements of this act that has come to a stop upon any highway or street outside of a business or residential district while in the act of receiving or discharging any school child shall stop such vehicle not less than ten (10) feet from such school bus and keep such vehicle stationary until such school bus resumes motion or the school bus operator signals him to proceed except that (1) upon a highway with separate roadways when the school bus is on a separate roadway or (2) upon a limited or controlled access highway when the school bus is stopped in a loading zone adjacent to or part of such highway and where pedestrians are not permitted to cross such highway (3) upon a highway when a school bus is stopped on and off the highway loading zone as provided in clause (10) of sub section (b) of section eight hundred twenty-eight of this act the driver need not stop his vehicle upon meeting or passing a school bus No school bus operator shall start his bus or signal the driver of any vehicle who has stopped in compliance with the provisions of this section to proceed until after each child who may have alighted therefrom shall have reached a place of safety

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty dollars (\$20) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILL OVER IN ORDER

Mr. WALKER. Mr President, I ask unanimous consent that House Bill No. 872, on third reading, entitled:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupation for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by providing for annual assessments abolishing triennial assessments providing for fixing of salaries of subordinate assessors limiting notices of assessment to persons the value of whose property or personal assessment has been changed or has not previously been separately made and making assessments applicable to taxation for institution district purposes imposing duties on persons acquiring title to realty contractors and building inspectors

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 879, entitled:

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial

review thereof and preserving equitable jurisdiction in certain cases" by redefining "regulation" charging provisions governing promulgation of regulations imposing duties on the Department of State extending the grounds for refusing to affirm adjudications of agencies requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there any objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, line 1 of title, by inserting after the word "State" the following "further providing for appeals to the Dauphin County Court;" Amend Sec. 6, page 6, line 1 by inserting after the word "Sections" the following "forty-one;" Amend Sec. 6, page 6, by inserting between lines 2 and 3 the following "Section 41. Appeals.—Any interested person may file a complaint in equity in the Court of Common Pleas of Dauphin County to determine the legality or constitutionality of any regulation. Within thirty days after the service of an adjudication (or if a petition for rehearing or reconsideration is filed pursuant to statutory authority, then within thirty days after service of the order, of the agency refusing such petition, or of the order following rehearing or reconsideration) any person aggrieved thereby who has a direct interest in such adjudication shall have the right to appeal therefrom. Such appeal shall be taken to the court of common pleas of Dauphin County. Parties interested, jointly, severally or otherwise, in the same adjudication may join in an appeal therefrom even though all of the interested parties do not join therein;" Amend Sec. 6, (Sec. 45), page 6, line 18 by inserting after the word "on" the following "a complaint in equity or."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 879, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 911, as follows:

An Act to further amend section six of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge

the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by providing additional grounds for revocation of registration The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the seven-teenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" as amended by the act approved the sixteenth day of May one thousand nine hundred twenty-one (P. L. 613) is hereby further amended to read as follows

Section 6 That the registration of any pharmacist or assistant pharmacist under this act of Assembly may be revoked by the [Pennsylvania] State Board of Pharmacy when the registration is proved to have been obtained by fraudulent means or suspended or revoked [upon being convicted for a second violation in connection with the practice of pharmacy of any law of this Commonwealth or of the United States] for the following reasons

- (1) Conviction of a second violation in connection with the practice of pharmacy of any law of this Commonwealth or of the United States
- (2) Paying rebates to physicians or entering into an agreement with a physician for payment in any form for the recommending of the professional services of either party

Before any registration is suspended or revoked the holder of such registration certificate shall be given a hearing before the Board of Pharmacy after notice of the time and place of such hearing and of the charges made against him At such hearing the accused may be represented by counsel and shall be entitled to compulsory attendance of witnesses

And said bill having been read at length the third time, and agreed to,  
On the question,  
Shall the bill pass finally?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Watson,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.  
Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Hr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 912, on third reading, entitled:

An Act relating to and regulating the business of dry cleaning and dyeing as herein defined granting authority to and imposing duties upon the Department of Labor and Industry requiring approval by said Department of certain plans for dry cleaning and dyeing plants and the machinery equipment and systems used therein pre-scribing filing fees for applications for said approval providing for certain administrative and judicial review of the orders and decisions of said Department conferring authority upon certain employees of poitical subdivisions and representatives of the Pennsylvania State Police providing penalties for violations of the provisions of this act or the regulations adopted thereunder and re-pealing certain acts

go over in its order, temporarily.  
The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 920, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for township planning and the creation organization and powers of township planning commission

go over in its order.  
The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,  
The Senate proceeded to the third reading and con-sideration of House Bill No. 946, as follows:

An Act to amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P L 759) entitled "An act providing for the acquisition and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Com-mission of the Bushy Run Battlefield and adjacent lands as a public historical park and for the erection of a monument or memorial therein authorizing the department to accept gifts for exhibition in and funds or securities to be invested for the benefit of said park imposing duties upon the Governor the Auditor Gen-eral and the State Treasurer in connection with such funds or securities and making an appropriation" by authorizing the Bushy Run Battlefield Commission to accept gifts or bequests authorizing the commission to adopt and execute plans for the improvement preser-vation and maintenance of the park authorizing the commission to enter into agreements respecting high-ways railways railroads and other means of travel with-in the park and to regulate the travel and traffic over said park and police the same authorizing use of the park as a camping ground for the National Guard of Pennsylvania and permitting the erection of monu-ments or other memorials on the park grounds

The General Assembly of the Commonwealth of Penn-sylvania hereby enacts as follows  
Section 1 Section two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P L 759) entitled "An act providing for the acquisition and maintenance by the Department of Forests and

Water with the advice of the Bushy Run Battlefield Commission of the Bushy Run Battlefield and adjacent lands as a public historical park and for the erection of a monument or memorial therein authorizing the department to accept gifts for exhibition in and funds or securities to be invested for the benefit of said park imposing duties upon the Governor the Auditor General and the State Treasurer in connection with such funds or securities and making an appropriation" is hereby amended to read as follows

Section 2 The [Department of Forests and Waters is further authorized with the approval of the Bushy Run Battlefield Commission is hereby authorized to receive for and in behalf of the Commonwealth gifts or bequests of relics or other objects of historical interest for public exhibition in a safe and suitable manner and to accept for the Commonwealth gifts and bequests of securities for the endowment of the work of the [department] commission in connection with said park in accordance with the instruction of the donors and the Secretary of Forests and Waters in conjunction with the Auditor General and State Treasurer shall constitute a body of trustees for the care of such funds invest the same in the bonds of this Commonwealth or of any political subdivision thereof and employ the interest and income from such investments for the maintenance and improvement of the park apply the same to such uses as may have been specified by the respective donors of such funds The State Treasurer shall be the custodian of all funds and securities held by said trustees hereunder

The Commission is hereby authorized to accept on behalf of the Commonwealth any gift of lands contiguous or adjacent to the lands taken or to be taken for the said park and to be held or used for the purposes thereof

Section 2 Said act is hereby amended by adding after section two thereof five new sections to read as follows

Section 3 The commission shall adopt plans for the improvement preservation and maintenance of said park and shall have power to carry the same into execution It shall have power to deputize one or more persons as special constables to maintain order within said park protect the property from destruction and make arrests for riots and illegal trespasses

Section 4 The commission is hereby authorized to enter into agreements with officials charged with the duty of constructing and maintaining public roads or highways providing for the location or relocation of any public road or highway within the limits of the Bushy Run Battlefield and for grading widening narrowing elevating or depressing the same to such extent as may in the opinion of the said commission render them suitable for park roads or highways and the said commission is further authorized to make reasonable rules and regulations for policing the said roads or highways and for regulating the travel and traffic thereon and the use thereof within the said park Provided That no moneys shall be expended for such purposes by the said commission excepting out of the appropriations made from time to time by the General Assembly for the construction and maintenance of roads and avenues within the park limits And provided further That the duty of constructing and maintaining such public roads or highways shall remain with officials charged with the said duty by law as heretofore

Section 5 The commission is hereby authorized in behalf of and in the name of the Commonwealth to consent to the location relocation construction reconstruction widening narrowing elevating depressing grading ornamenting or improving of any street railway electric railway elevated railway subway tunnel railroad or other means of travel or transportation within the limits of the Bushy Run Battlefield from such investments for the maintenance and improvement of the park apply the same to such uses as may have been specified by the respective donors of such funds The State Treasurer shall be the custodian of all funds and securities held by said trustee hereunder

Section 6 Section three of said act is hereby amended to read as follows

Section [3] 8 The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the acquisition of lands the erection of a monument or memorial the improvement restoration and maintenance of said park and expenses incurred in carrying out the provisions of this act Payment from said appropriation shall be made by requisition of the Secretary of Forests and Waters on the Auditor General in the manner provided by law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 949, as follows:

An Act to repeal the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" in so far as it relates to counties of the second class and cities boroughs townships and school districts situate in such counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" which was partially repealed by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) is hereby repealed in so far as it relates to all counties of the second class and all cities boroughs townships and school districts situate in such counties

Section 2 The provisions of this act shall become effective on the first day of September one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No 992, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative department boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by making the Bushy Run Battlefield Commission a departmental administrative commission in the Department of Forests and Waters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Forests and Waters of section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and pre-

scribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) and the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

\* \* \* \* \*

In the Department of Forests and Waters  
Water and Power Resources Board  
Geographic Board  
Pennsylvania State Park and Harbor Commission of Erie  
Washington Crossing Park Commission  
Valley Forge Park Commission  
Fort Washington Park Commission  
Bushy Run Battlefield Commission

Section 2 Section two hundred three of said act as last amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 584) is hereby further amended to read as follows

Section 203 Advisory Boards and Commissions The following advisory boards and commissions are placed in and made part of the respective administrative departments as follows

In the Department of Military Affairs  
State Military Reservation Commission  
State Veterans' Commission  
In the Department of Forests and Waters  
State Forest Commission  
[Bushy Run Battlefield Commission]  
Flood Control Commission  
In the Department of Health  
Advisory Health Board  
In the Department of Labor and Industry  
Industrial Board  
In the Department of Welfare  
State Welfare Commission  
In the Department of Property and Supplies  
General Galusha Pennypacker Monument Commission  
Section 3 Said act is hereby amended by adding after section four hundred fifty-four thereof a new section to read as follows

Section 455 Bushy Run Battlefield Commission The Bushy Run Battlefield Commission shall consist of the Secretary of Forests and Waters and the chairman of the Pennsylvania Historical and Museum Commission ex officio and six other members residing in the vicinity of the Bushy Run Battlefield State Park and having a knowledge of and interest in the history of the locality wherein said park is situated

The members of the commission shall annually elect a chairman and a secretary

Five members of the commission shall constitute a quorum

Section 4 Section one thousand eight hundred sixteen of said act is hereby amended to read as follows

Section 1816 Bushy Run Battlefield Commission The Bushy Run Battlefield Commission shall [have the right from time to time to meet for the purpose of considering and studying the work of the department with regard to the Bushy Run Battlefield State Park in Westmoreland County and to make recommendations and render advice to the department with reference to the conduct improvement and maintenance thereof] exercise the powers and perform the duties by law vested in and imposed upon such commission

Section 5 Clause (d) of section four hundred forty-eight of said act as relettered (e) by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 350) and amended by the act approved the sixth

day of June one thousand nine hundred forty-five (P. L. 1398) is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1016, as follows:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the definition of "tractor" and adding the definition "farm tractor" and further providing for the classification of and the annual registration fees for tractors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "tractor" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners

counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 851) is hereby further amended by adding after such definition of "tractor" a definition of "farm tractor" to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Tractor" Every vehicle of the tractor type which is self-propelled originally constructed under a distinctive name make model or type by a generally recognized manufacturer excepting [power shovels] road rollers [concrete mixers] ditch diggers or vehicles used exclusively upon stationary rails or tracks In the case of motor vehicles as defined in the Vehicle Code [upon which machinery has been permanently mounted] which cannot be used as motor vehicles the secretary may determine in each case whether or not such motor vehicle is of the tractor type and in making such determination the secretary shall consider the purpose for which such motor vehicle shall be used

"Farm Tractor" Every vehicle of the tractor type which is self-propelled designed and used primarily as a farm implement for drawing plows mowing machines and other implements of husbandry

Section 2 Section two hundred three and section five hundred one of said act as amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 374) are hereby further amended to read as follows

Section 203 Classification Tractors for the purposes of this act shall be divided into [three] two classes

(a) First Class Tractors used exclusively for agricultural purposes road grading well drilling and production and transportation of supplementary machinery and appliances and also any motor vehicle as defined in the Vehicle Code upon which machinery has been permanently mounted and used exclusively for agricultural purposes road grading well drilling and production and transportation of supplementary machinery and appliances and determined by the secretary to be of the tractor type

(b) Second class Tractors used for industrial purposes and for all hauling on any highway except such hauling as is specified in subsection (a) of this section and also any motor vehicle as defined in the Vehicle Code upon which machinery has been permanently mounted and used for industrial purposes and for all hauling on any highway except such hauling as is specified in subsection (a) of this section and determined by the secretary to be of the tractor type

(c) Third class Odd type vehicles having a weight in excess of thirty thousand (30,000) pounds determined by the secretary to be of the tractor type

(a) First class Tractors used primarily as farm implements for drawing plows mowing machines farm wagons and other implements of husbandry or used as well-drilling and production equipment

(b) Second class Tractors used for industrial purposes and for all hauling on any highway except such hauling as is specified in clause (a) of this section

Section 501 Tractors The fee for the annual registration of a tractor of the first class required to be registered shall be five (\$5) dollars and for the annual registration of a tractor of the second class required to be registered shall be [fifty (\$50) dollars and for the annual registration of a tractor of the third class shall be one hundred (\$100) dollars] sixteen (\$16) dollars

Section 3 This act shall become effective immediately upon final enactment but the registration fee fixed by

this act shall first apply to registrations for the registration year commencing the first day of April one thousand nine hundred fifty. The registration fee for the registration of any tractor for any period of time prior to the first day of April one thousand nine hundred fifty shall remain the same as prior to the effective date of this act.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peeler,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1031, as follows:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and possessing with intent to sell of adulterated or deleterious ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard including sherbet frozen ice confections frozen sherbet confections frozen dairy confections ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing for licensing conferring powers and imposing duties upon the Department of Agriculture prescribing penalties and providing for the enforcement thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of this act "ice cream" is defined as any frozen sweetened milk product which is agitated during the process of freezing and includes every such frozen milk product which contains more than five per centum (5%) by weight of milk fat milk solids not fat or milk and milk solids not fat and which in any manner simulates the texture or characteristic of ice cream no matter under what coined or trade name it may be sold Ice cream shall be made from a combination of one or more of the following ingredients viz any clean and wholesome cream milk and all forms of milk fat and any clean and wholesome form of milk solids not fat with one or more of the following ingredients sucrose dextrose corn syrup invert sugar any of which may be in dry or

syrup form water flavor stabilizer emulsifier egg or egg products harmless color which does not conceal either damage or inferiority each of which ingredients shall be wholesome edible material The finished product may contain not more than one-half of one per centum ( $\frac{1}{2}$  of 1%) by weight of stabilizer and may contain not more than one-fifth of one per centum ( $\frac{1}{5}$  of 1%) by weight of emulsifier provided however that the stabilizer and/or emulsifier has been approved by the Department of Agriculture The finished product shall contain not less than ten per centum (10%) of milk fat by weight except when fruit nuts cocoa or chocolate cakes or confections are added for the purpose of flavoring then it shall contain not less than ten per centum (10%) by weight of milk fat except for such reduction in milk fat as is due to the addition of such flavoring but in no such case shall it contain less than eight per centum (8%) by weight of milk and chocolate and cocoa flavored ice cream shall in no event contain less than ten per centum (10%) of total fat

For the purpose of this act "custard ice cream" "french ice cream" "french custard" and "frozen custard" shall conform to the definition and standards hereinbefore defined for "ice cream" no matter under what trade or coined name it may be sold or offered for sale and in addition shall contain not less than one and four-tenths per centum (1.4%) by weight of egg yolk solids except when it contains fruit or nuts when it shall contain not less than one and one-tenth per centum (1.1%) by weight of egg yolk solids

For the purpose of this act "sherbet" is defined as any frozen sweetened fruit flavored product containing not less than three per centum (3%) nor more than five per centum (5%) by weight of total milk solids the process of manufacture of which is similar to the process of manufacture of ice cream no matter under what trade or coined name it may be sold or offered for sale Sherbet shall be made from any clean and wholesome cream milk and all forms of milk solids and one or more of the following sucrose dextrose corn syrup invert sugar any of which may be in dry or syrup form water fruit or fruit flavoring material stabilizer harmless color which does not conceal either damage or inferiority each of which ingredients shall be wholesome edible material The finished product may contain not more than one-half of one per centum ( $\frac{1}{2}$  of 1%) by weight of stabilizer provided however that the stabilizer has been approved by the Department of Agriculture and shall contain not less than thirty-five one-hundredths per centum (0.35%) of harmless organic acid as determined by titration with standard alkali and calculated as lactic acid and derived in whole or in part from fruit flavoring material or by the addition of citric tartaric or lactic acid

For the purpose of this act "ice" or "fruit ice" is hereby defined as any frozen sweetened fruit flavored product the process of manufacture of which is similar to the process of manufacture of ice cream no matter under what trade or coined named it may be sold or offered for sale and shall contain no milk solids whatsoever It shall be made from a combination of some or all of the following ingredients viz sucrose dextrose corn syrup invert sugar any of which may be in dry or syrup form water stabilizer harmless coloring which does not conceal either damage or inferiority fruit or fruit flavoring material The finished product shall contain not less than thirty-five one-hundredths per centum (0.35%) of harmless organic acid as determined by titration with standard alkali and calculated as lactic acid and derived in whole or in part from the fruit or fruit flavoring material or by the addition of citric tartaric or lactic acid and the finished product may contain not more than one-half of one per centum ( $\frac{1}{2}$  of 1%) by weight of stabilizer provided however that the stabilizer has been approved by the Department of Agriculture

For the purpose of this act "frozen ice confections" are defined as "ice" or "fruit ice" as herein defined manufac-

tured into factory-formed individual servings except they may be frozen without agitation and the acid requirements provided for in the definition of "ice" or "fruit ice" need not be met and imitation flavoring may be used when declared and the product so labeled "imitation"

For the purpose of this act "frozen sherbet confections" are defined as "sherbet" as herein defined manufactured into factory-formed individual servings except they may be frozen without agitation and the acid requirements provided for in the definition of "sherbet" need not be met and imitation flavoring may be used when declared and the product so labeled "imitation"

For the purpose of this act "imitation ice cream" or "ice cream substitute" are defined as (1) any frozen sweetened product regardless of the name under which it is manufactured sold or offered for sale which is made in imitation or semblance of or is manufactured in a manner similar to the process used in manufacturing but is not ice cream custard ice cream french ice cream frozen custard sherbet ice fruit ice frozen ice confection or frozen sherbet confection as defined in this act (2) any frozen sweetened product labeled as a product herein defined which does not comply with such defined standards

For the purpose of this act an "ice cream plant" shall mean any place premises or establishment where ice cream custard ice cream french ice cream frozen custard sherbet ice fruit ice frozen ice confection or frozen sherbet confection are manufactured prepared or processed for distribution or sale

Section 2 (a) It shall be unlawful for any person by himself or by his agents servants or employees to sell offer for sale expose for sale or have in possession with intent to sell ice cream custard ice cream french ice cream french custard frozen ice confections or frozen sherbet confections sherbet ice or fruit ice coated or uncoated or the coating thereof which is adulterated within the meaning of this act or to sell offer for sale or expose for sale or have in possession with intent to sell any imitation ice cream substitute as defined in this act

(b) It shall be unlawful for any person by himself or by his agents servants or employees to sell offer for sale expose for sale or have in possession with intent to sell any ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbets ices or fruit ices coated or uncoated which are not registered with the Department of Agriculture as required in this act The possession of any such nonregistered product shall be deemed prima facie evidence of an intent to sell the same provided however that such establishments as hotels dining rooms and boarding houses where the above named products are produced and consumed only on the premises need not register such products with the Department of Agriculture

(c) It shall be unlawful to import into this Commonwealth for sale any ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice coated or uncoated unless the same are registered with and the manufacture thereof has been licensed by the Department of Agriculture as provided in this act

Section 3 Any frozen sweetened product referred to in this act shall be deemed to be adulterated within the meaning of this act

First If it contains any added preservative any artificial sweetener including saccharin dulcin or any other substance or compound that is deleterious to health

Second If it contains any coloring substance deleterious to health provided that this paragraph shall not be construed to prohibit the use of harmless coloring matter from a list of permitted coloring material established by the Department of Agriculture when such use does not conceal damage or inferiority

Third If it contains any deleterious flavoring matter or flavoring matter not true to name

Fourth If it contains any paraffin synthetic fats oils or

fats other than milk fats added to or blended or compounded with it provided however that chocolate ice cream may contain cocoa butter and the coating of coated ice cream may contain cocoa butter or other clean and wholesome edible vegetable oils and provided that the use of multifying products including lecithin of the nature of polyhydric alcohol esters of fatty acids when approved by the Department of Agriculture and used only to the extent herein provided shall not be deemed in violation of the foregoing provisions

Fifth If it is imitation ice cream or ice cream substitute as defined in this act

Sixth If it is offered for sale from any container compartment or cabinet which contains any article other than ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice except that ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice when properly wrapped or packaged by the manufacturer and in unbroken packages or containers for delivery to the consumer may be offered for sale from one or more separate compartments of a refrigerated container or cabinet of which other separate compartments contain properly wrapped unbroken and sealed packages of frozen foods ready for delivery to the consumer Nothing contained in this clause shall be construed to modify in any way section 4 of this act

Seventh If it falls below the standards or any of them fixed for the particular product by the definition thereof contained in this act or is falsely labeled or labeled contrary to the provisions of this act

Eighth If it is manufactured under conditions not in conformity with the provisions of section five of this act

Ninth If it contains less than one and eight-tenths (1.8) pounds total food solids per gallon in the finished product or weighs less than four and seventy-five hundredths (4.75) pounds per gallon or if any package or container of a different unit contains less than a proportionate amount of total food solids or weighs proportionately less

Section 4 (a) Every manufacturer shall plainly and distinctly mark every package or container of product sold as ice cream or custard ice cream french ice cream french custard frozen custard or "sherbet" or ice fruit ice or frozen ice confections or frozen sherbet confections or as a combination of these products The products so marked or labeled shall conform with the definitions or standards for such product in this act

(b) It shall be unlawful to sell offer for sale expose for sale or have in possession with intent to sell any ice cream custard ice cream french ice cream french custard frozen custard frozen ice combinations frozen sherbet confections sherbets ices or fruit ices in any container or package which is not plainly and distinctly marked with the name of the manufacturer and address of the plant of the manufacturer thereof or in lieu of such name and address the name and address of the distributor preceded or followed by the words distributed by or distributor Packages bearing a distributor's name and address in lieu of the actual name and address of the manufacturer must bear a code identifying the manufacturer and the plant where manufactured Such code record must be kept for five years from the date of sale of the product by both the manufacturer and the distributor and such records shall be open to inspection by the Department In addition when products are sold under a distributor's name and address the package or container must bear the words Registered with the Pennsylvania Department of Agriculture the following abbreviation being acceptable "Reg Penna Dept Agr" and the code mark shall immediately follow these words

(c) It shall be unlawful for any person to use or cause or allow to be used any equipment cabinet can or other container or refrigerating device belonging to one ice

cream manufacturer for the purpose of preserving or holding any ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice or any type of frozen food sold or furnished to him by any person not owning said equipment for for any person knowingly to supply or place or deposit ice cream custard ice cream french ice cream french frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice or any type of frozen food of one ice cream manufacturer or distributor in any equipment cabinet can or other container belonging to another ice cream manufacturer or distributor It is unlawful for any person other than the owner to remove erase obliterate cover or conceal any manufacturer's name insignia device or distinguishing mark which may appear or be placed on any ice cream equipment cabinet can or other container

Section 5 It shall be unlawful to operate any ice cream plant unless it shall be maintained and operated with strict regard for the purity and wholesomeness of the frozen sweetened products produced therein The entire establishment and its appertaining premises including fixtures furnishings machinery apparatus implements utensils receptacles and all equipment used in production keeping storing handling or distributing shall be maintained and operated in a clean sanitary manner. All equipment and utensils used in the production of any sweetened frozen product whose surfaces come in contact with any such product or any of the ingredients thereof shall be thoroughly sterilized after using The clothing habits and conduct of the employes shall be conducive to and promote cleanliness and sanitation There shall be proper suitable and adequate toilets and lavatories and equipment for cleansing constructed maintained and operated in a clean sanitary manner All places where ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice are made shall be enclosed and the freezers and fillers shall not be operated in a room access to which is allowed to the public unless the freezers fillers and raw materials are set apart in an enclosure so as to prevent contamination

Section 6 (a) It shall be the duty of every person whether resident or nonresident of this Commonwealth operating an ice cream plant or plants to apply to the Department of Agriculture for a license to do so and to register with the Department each plant and every brand of product produced or manufactured in such plant on or before the first day of January of each year or before any operation is undertaken if after January first and to pay to the Department at the time such application for registration and license is filed an annual license fee which shall expire on the following December thirty-first as follows

For each ice cream plant producing annually not in excess of one hundred thousand (100,000) gallons ten dollars (\$10) in excess of one hundred thousand (100,000) gallons and not in excess of two hundred and fifty thousand (250,000) gallons fifty dollars (\$50) and in excess of two hundred and fifty thousand (250,000) gallons one hundred dollars (\$100)

(b) The application for a license and registration shall be made on a form to be supplied by the Department The application shall have attached thereto the affidavit of the person or of some member or officer of the association co-partnership or corporation applying therefor stating that the facts set forth therein are true and correct

(c) Upon approval of application for registration and license and payment of required license fee and also approval of sanitary conditions in an ice cream plant the Department of Agriculture shall issue to each applicant a license or certificate of registration which shall expire at the end of each calendar year and which will authorize the operation of said plant for the calendar year or por-

tion thereof for which a license or certificate or registration shall be issued.

(d) Establishments such as hotel dining rooms and boarding houses where the products defined herein are produced and consumed only on the premises need not comply with the licensing and registration provisions of this act But the other provisions of this law shall apply to such establishments

Section 7 The Department of Agriculture is hereby authorized to revoke any license for cause and where it shall be properly ascertained that the ice cream plant is not operated in a proper and sanitary manner as herein-before provided

Section 8 The Department of Agriculture is charged with the enforcement of the provisions of this act provided however that this provision shall not prevent any person from making complaint in the usual manner before any magistrate alderman or justice of the peace of any city borough incorporated town or township of this Commonwealth where the alleged violation took place for a violation of the provisions of this act

Section 9 (a) Any person violating any of the provisions of this act or definition and standard of the Department of Agriculture made pursuant thereto shall for the first or second offense upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty-five (\$25) nor more than one hundred dollars (\$100) and costs of prosecution or in default of such fine and costs in the case of an individual or the officers and members of an association partnership or corporation to undergo an imprisonment in the county jail of not less than thirty (30) days nor more than sixty (60) days and for a third or subsequent offense shall be guilty of a misdemeanor and sentenced to pay a fine not exceeding one thousand dollars (\$1000) or in the case of an individual or the officers and members of an association partnership or corporation to undergo an imprisonment not exceeding one year or both in the discretion of the court

All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

(b) The Attorney General at the request of the Department may in the name of the Commonwealth institute proceedings in equity in the Court of Common Pleas of Dauphin County for the purpose of enjoining the conduct of business in this Commonwealth contrary to the provisions of this act and for such purpose jurisdiction is hereby conferred upon said court In such case the Attorney General shall not be required to give bond

Section 10 (a) The provisions of this act shall not be construed to be impaired or in any way affected by the provisions of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" or its amendments

Section 11 The act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture safe offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard dsherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" as amended is hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1048, as follows:

An Act to further amend clauses (a) (b) (c) and (f) of section three hundred six and sections three hundred seven and three hundred nine of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by changing the maximum and minimum rates and the total amounts and aggregate of compensation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (a) (b) (c) and (f) of section three hundred six and section three hundred seven of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 671) are hereby further amended to read as follows

Section 306 The following schedule of compensation is hereby established for injuries resulting in total disability

(a) For the first five hundred weeks after the seventh day of total disability sixty-six and two-thirds per centum of the wages of the injured employe as defined in section three hundred and nine but the compensation shall not be more than twenty-five dollars per week nor less than [ten dollars] twelve dollars and fifty cents per week and shall not exceed in the aggregate the sum of [ten thousand] twelve thousand five hundred dollars Provided That if at the time of the injury the employe receives wages of less than [ten dollars] twelve dollars and fifty cents per week then he shall receive the full amount of such

wages per week as compensation but in no event less than [five dollars] six dollars and twenty-five cents per week Nothing in this clause shall require payment of compensation after disability shall cease Should partial disability be followed by total disability the period of five hundred weeks mentioned in this clause of this section shall be reduced by the number of weeks during which compensation was paid for such partial disability

(b) For disability partial in character (except the particular cases mentioned in clause (c)) sixty-six and two-thirds per centum of the difference between the wages of the injured employe as defined in section three hundred and nine and the earning power of the employe thereafter but such compensation shall not be more than [seventeen dollars] twenty-one dollars and twenty-five cents per week This compensation shall be paid during the period of such partial disability not however beyond three hundred weeks after the seventh day of disability Should total disability be followed by partial disability the period of three hundred weeks mentioned in this clause shall be reduced by the number of weeks during which compensation was paid for total disability The term "earning power" as used in this section shall in no case be less than the weekly amount which the employe receives after the accident and shall in no case be less than five times his actual daily wage as fixed by the day hour or by the output of the employe and in no instance shall an employe receiving compensation under this section receive more in compensation and wages combined than a fellow employe in similar employment

(c) For all disability resulting from permanent injuries of the following classes the compensation shall be exclusively as follows

For the loss of a hand sixty-six and two-thirds per centum of wages during one hundred and seventy-five weeks

For the loss of a forearm sixty-six and two-thirds per centum of wages during one hundred and ninety-five weeks

For the loss of an arm sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of a foot sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a lower leg sixty-six and two-thirds per centum of wages during one hundred and eighty weeks

For the loss of a leg sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of an eye sixty-six and two-thirds per centum of wages during one hundred and twenty-five weeks

For the complete loss of hearing in both ears sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a thumb sixty-six and two-thirds per centum of wages during sixty weeks

For the loss of a first finger commonly called index finger sixty-six and two-thirds per centum of wages during thirty-five weeks

For the loss of a second finger sixty-six and two-thirds per centum of wages during thirty weeks

For the loss of a third finger sixty-six and two-thirds per centum of wages during twenty weeks

For the loss of a fourth finger commonly called little finger sixty-six and two-thirds per centum of wages during fifteen weeks

The loss of the first phalange of the thumb or of any finger shall be considered equivalent to the loss of one-half of such thumb or finger and shall be compensated at the same rate as for the loss of a thumb or finger but for one-half of the period provided for the loss of a thumb or finger

The loss of more than one phalange of a thumb or finger shall be considered equivalent to the loss of the entire thumb or finger

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

For the loss of a great toe sixty-six and two-thirds per centum of wages during forty weeks

For the loss of any other toe sixty-six and two-thirds per centum of wages during sixteen weeks

The loss of the first phalange of the great toe or of any toe shall be considered equivalent to the loss of one-half of such great toe or other toe and shall be compensated at the same rate as for the loss of a great toe or other toe but for one-half of the period provided for the loss of a great toe or other toe

The loss of more than one phalange of a great toe or any toe shall be considered equivalent to the loss of the entire great toe or other toe

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

For serious and permanent disfigurement of the head or face of such a character as to produce an unsightly appearance and such as is not usually incident to the employment sixty-six and two-thirds per centum of wages not to exceed one hundred and fifty weeks

Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation at the wrist shall be considered as the equivalent of the loss of a hand and amputation at the ankle shall be considered as the equivalent of the loss of a foot Amputation between the wrist and the elbow shall be considered as the loss of a forearm and amputation between the ankle and the knee shall be considered as the loss of a lower leg Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of the use of a hand arm foot leg eye finger or thumb great toe or other toe shall be considered as the equivalent of the loss of such hand arm foot leg eye finger or thumb great toe or other toe

This compensation shall not be more than twenty-five dollars per week nor less than [ten dollars] twelve dollars and fifty cents per week Provided That if at the time of injury the employe receives wages of less than [ten dollars] twelve dollars and fifty cents per week then he shall receive the full amount of such wages per week as compensation but in no event less than [five dollars] six dollars and twenty-five cents per week

(f) During the first [sixty] ninety days after disability begins the employer shall furnish reasonable surgical and medical services medicines and supplies as and when needed unless the employe refuses to allow them to be furnished by the employer The cost of such services medicines and supplies shall not exceed [one hundred and fifty dollars] (\$150) except that the board upon petition of the claimant may grant extra medical services for an additional thirty days not to exceed seventy-five dollars (\$75) two hundred and twenty-five dollars If the employer shall upon application made to him refuse to furnish such services medicines and supplies the employe may procure same and shall receive from the employer the reasonable cost thereof within the above limitations In addition to the above service medicines and supplies hospital treatment services and supplies shall be furnished by the employer for the said period of [sixty] ninety days except that the board upon petition of the claimant may grant an additional thirty days The cost for such hospital treatment service and supplies shall not in any case exceed the prevailing charge in the hospital for like services to other individuals If the employe shall refuse reasonable surgical medical and hospital services treatment medicines and supplies tendered to him by his employer he shall forfeit all rights to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal whenever an employe shall have suffered the loss of a limb part of a limb or an eye the employer shall furnish to the employe in addition to the aforementioned surgical and medical services medicines and supplies an artificial limb or eye of a type and kind recommended by the doctor attending such employe in connection with such injury

Section 307 In case of death compensation shall be computed on the following basis and distributed to the following persons

1 If there be no widow nor widower entitled to compensation compensation shall be paid to the guardian of the child or children or if there be no guardian to such other persons as may be designated by the board as hereinafter provided as follows

(a) If there be one child twenty-five per centum of wages of deceased but not in excess of [seven dollars] eight dollars and seventy-five cents per week

(b) If there be two children thirty-five per centum of wages of deceased but not in excess of [ten dollars] twelve dollars and fifty cents per week

(c) If there be three children forty-five per centum of wages of deceased but not in excess of [thirteen dollars] sixteen dollars and twenty-five cents per week

(d) If there be four children fifty-five per centum of wages of deceased but not in excess of [sixteen] twenty dollars per week

(e) If there be five children sixty-two and one-half per centum of wages of deceased but not in excess of [eighteen dollars] twenty-two dollars and fifty cents per week

(f) If there be six or more children sixty-six and two-thirds per centum of wages of deceased but not in excess of twenty-five dollars per week

2 To the widow or widower if there be no children forty-four per centum of wages but not in excess of [twelve] fifteen dollars per week

3 To the widow or widower if there be one child fifty-three per centum of wages but not in excess of [fifteen dollars] eighteen dollars and seventy-five cents per week

4 To the widow or widower if there be two children sixty-two and one-half per centum of wages but not in excess of [eighteen dollars] twenty-two dollars and fifty cents per week

4½ To the widow or widower if there be three or more children sixty-six and two-thirds per centum of wages but not in excess of twenty-five dollars per week

5 If there be neither widow widower nor children entitled to compensation then to the father or mother if dependent to any extent upon the employe at the time of the accident twenty-five per centum of wages but not in excess of [six dollars] seven dollars and fifty cents per week Provided however That in the case of a minor child who has been contributing to his parents the dependency of said parents shall be presumed And provided further That if the father or mother was totally dependent upon the deceased employe at the time of the accident the compensation payable to such father or mother shall be forty-five per centum of wages but not in excess of [eleven dollars] thirteen dollars and seventy-five cents per week

6 If there be neither widow widower children nor dependent parent entitled to compensation then to the brothers and sisters if actually dependent upon the decedent for support at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian or if there be no guardian to such other person as may be designated by the board as hereinafter provided

7 Whether or not there be dependents as aforesaid the reasonable expense of burial not exceeding two hundred and fifty dollars which shall be paid by the employer or insurer directly to the undertaker (without deduction of any amounts theretofore paid for compensation or for medical expenses)

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother or sister is under the age of sixteen No compensation shall be payable under this section to a widow unless she was living with her deceased husband at the time of his death or was then actually dependent upon him and receiving from him a substantial portion of her support No compensation shall be payable

under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support. If members of decedent's household at the time of his death the terms "child" and "children" shall include step-children adopted children and children to whom he stood in loco parentis and shall include posthumous children. Should any dependent of a deceased employe die or remarry or should the widower become capable of self-support the right of such dependent or widower to compensation under this section shall cease. Provided however That upon remarriage of any widow the compensation of such widow shall continue as hereinbefore provided for one-third of the period during which compensation then remains payable to her. Provided further That if upon investigation and hearing it shall be ascertained that the widow or widower is living with a man or woman as the case may be in meretricious relationship and not married or the widow living a life of prostitution the board may order the termination of compensation payable to such widow or widower. If the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased.

The wages upon which death compensation shall be based shall not in any case be taken to exceed [thirty dollars] thirty-seven dollars and fifty cents per week nor be less than [seventeen dollars] twenty-one dollars and twenty-five cents per week.

This compensation shall be paid during three hundred weeks and in the case of children entitled to compensation under this section the compensation of each child shall continue after said period of three hundred weeks until such child reaches the age of sixteen at the rate of seventeen and one-half per centum of wages but not in excess of [four and a half dollars] five dollars and seventy-five cents per week if there is one child twenty-seven and one-half per centum of wages but not in excess of [seven dollars] eight dollars and seventy-five cents per week if there are two children thirty-eight and one-half per centum of wages but not in excess of [ten dollars] twelve dollars and fifty cents per week if there are three children fifty per centum of wages but not in excess of [thirteen dollars] sixteen dollars and twenty-five cents per week if there are four children fifty-five per centum of wages but not in excess of [fourteen dollars] seventeen dollars and fifty cents per week if there are five children and sixty per centum of wages but not in excess of [sixteen] twenty dollars per week if there are six children or more.

The board may if the best interest of a child or children shall so require at any time order and direct the compensation payable to a child or children or to a widow or a widower on account of any child or children to be paid to the guardian of such child or children or if there be no guardian to such other person as the board hereinafter provided may direct. If there be no guardian or committee of any minor dependent or insane employe or dependent on whose account compensation is payable the amount payable on account of such minor dependent or insane employe or dependent may be paid to any surviving parent or to such other person as the board may order and direct and the board may require any person other than a guardian or committee to whom it has directed compensation for a minor dependent or insane employe or dependent to be paid to render as and when it shall so order accounts of the receipts and disbursements of such person and to file with it a satisfactory bond in a sum sufficient to secure the proper application of the moneys received by such person.

Section 2 Section three hundred nine of said act as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) is hereby further amended to read as follows:

Section 309 Whenever in this article the term "wages"

is used it shall be construed to mean the average weekly wages of the employe ascertained as follows:

(a) If at the time of the accident the wages are fixed by the week the amount so fixed shall be the average weekly wage.

(b) If at the time of the accident the wages are fixed by the month the average weekly wage shall be the monthly wage so fixed multiplied by twelve and divided by fifty-two.

(c) If at the time of the accident the wages are fixed by the year the average weekly wage shall be the yearly wage so fixed divided by fifty-two.

(d) If at the time of the accident the wages are fixed by the day hour or by the output of the employe the average weekly wage shall be the wage most favorable to the employe computed by dividing by thirteen the total wages of said employe earned in the employ of the employer in the first second third or fourth period of thirteen consecutive calendar weeks in the fifty-two weeks immediately preceding the accident or in case the employe receives wages monthly or semi-monthly by dividing by thirteen the total wages of said employe earned in the employ of the employer in the first second third or fourth period of three consecutive calendar months in the year immediately preceding the accident.

If the employe has been in the employ of employer less than thirteen calendar weeks (or three calendar months) if the employe receives wages monthly or semi-monthly immediately preceding the accident his average weekly wage shall be computed under the foregoing paragraph taking "total wages" for such purpose to be the amount he would have earned had he been so employed by employer the full thirteen calendar weeks (or three calendar months) immediately preceding the accident and had worked when work was available to other employes in a similar occupation unless it be conclusively shown that by reason of exceptional causes such methods of computation does not ascertain fairly the "total wages" of employe so employed less than thirteen calendar weeks (or three calendar months).

(e) In occupations which are exclusively seasonal and therefore cannot be carried on throughout the year the average weekly wage shall be taken to be one-fifth of the total wages which the employe has earned from all occupations during the twelve calendar months immediately preceding the accident unless it be shown that during such year by reason of exceptional causes such method of computation does not ascertain fairly the earnings of the employe in which case the period for calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings.

The terms "average weekly wage" and "total wages" as used in this section shall include board and lodging received from the employer and when so received the board shall be rated at [fifty cents] one dollar per day and board together with lodging shall be rated at [one] dollar two dollars per day but such terms shall not include gratuities received from the employer or others nor shall such terms include amounts deducted by the employer under the contract of hiring for labor furnished or paid for by the employer and necessary for the performance of such contract by the employe nor shall such terms include deductions from wages due the employer for rent and supplies necessary for the employe's use in the performance of his labor.

Where the employe is working under concurrent contracts with two or more employers and the defendant employer has knowledge of such employment prior to the accident his wages from all such employers shall be considered as if earned from the employer liable for compensation.

If under clauses (a) (b) (c) (d) and (e) of this section the amount determined is less than if computed as follows this computation shall apply viz divide the total wages earned by the employe during the last two completed calendar quarters with the same employer by the number of days he worked for such employer during such period multiplied by five.

Section 3 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, in discussing House Bill No. 1048, I hope that the remarks that the speakers make will pertain to the entire list of so-called labor bills.

Mr. President, we have before us House Bill No. 1048, House Bill No. 1049, and House Bill No. 1060, commonly called the Workmen's Compensation, Workmen's Unemployment Compensation, and Workmen's Occupational Disease Compensation bills.

Mr. President, all of us know that the primary struggle in the passage of this legislation was the inclusion within the framework of the Workmen's Compensation and the Occupational Disease Compensation Acts, the so-called "Romig Decision". For those who do not understand is as such, I would like to explain that no matter what the top limit may be in Workmen's Compensation, unless there is a reasonable base from which to compute the payments to the injured workmen, the top limit would mean absolutely nothing. In other words, as it was understood, the bills, preliminary to the inclusion of the "Romig Decision" within the acts, provided that if an injured workmen happened to work in an industry where they were employed on a part time or short time basis, such as the anthracite industry has been experiencing over the years, an individual could be injured on a work day, on a Monday or Tuesday, in an industry that was based on a two day work week, and he would find himself receiving even below the minimum that is contained within the act. Labor's primary struggle, therefore, and labor's primary aim was contained in the amendments offered yesterday by the gentleman from Potter, Senator Berger. These amendments brought this particular legislation up to a par with the base computation period used in any state in the Union. In fact, considering that our state has as its basic industry, coal and steel, I would say that we are far ahead of other states in that particular department, and I want to join with all the others who believe that labor is intitled to certain rights in the legislation passed here in the Senate and House, and I want to join with all the others in complimenting those who had anything to do with the inclusion of these amendments into the acts of Unemployment Compensation, Workmen's Compensation, and Occupational Disease Compensation.

For many, many years, Mr. President, we have tried to raise the so-called benefit period, and benefit payments. At this time, although the labor groups in Pennsylvania, through their representatives made a very valiant fight in the House of Representatives to increase the weekly payments to \$35 on the part of the Congress of Industrial Organizations, and \$32.50 on the part of the American Federation of Labor, and although the votes were taken in the House, and upon one or two occasions were only defeated by one vote and two votes, the House did succeed in passing one amendment, and that was the one pertaining to the "Romig Decision".

We, the Members of the Senate, who believe that the

payments could go a little higher in order that they would compare with states such as New York, Oregon, South Carolina, Texas, and Washington, yet there are a great many persons who, when you mention the fact that they are asking for \$35 a week in Workmen's Compensation and Occupational Disease Compensation, throw their hands up in horror, and say, "That is an impossibility. How could anybody pay such an enormous sum for an injured workman?" Yet, we find states like the State of Washington, with \$38 a week maximum payment for injured workers, the State of New Jersey with \$25, and these figures, mind you, are the figures of the states before this year's meetings of their General Assemblies, and it is understood, of course, that in almost every instance there has been a revision upward in compensation payments in the various states in the Union.

Mr. President, Pennsylvania, up until these amendments were added to these three bills, paid a maximum of \$20, and at that particular time, while we were paying and are paying \$20 as of the moment, thirty-one other states started the year 1949 paying higher workmen's compensation benefits. I think that is important to know here because I understand that some of the Members of the Senate are voting for this legislation, voting loudly, yes, but shaking their heads negatively, very vigorously, because they feel that the payments are entirely out of line, and too high.

Mr. President, if you understand that workmen's compensation is paid only to injured workmen, then you can see, and I want to lay down at this moment a belief that I have, and a feeling that I have, that we are making one grievous mistake here, and that is when we set the payments for Workmen's Compensation, Occupational Disease Compensation, and Unemployment Compensation on the same basis, and on the same weekly payments. I do not think there is any comparison whatsoever between the three types of compensation. I think Unemployment Compensation ought to stand entirely on its own, because when you are paying a man that is out of work temporarily, that is entirely a different basis of need than when you are paying a man who is injured in employment because I think that the three ought to be separated, and I think we are getting off to a false start in setting up a precedent that some day may injure those of us who are aiming to increase in the future, as the time demands, the payments for occupational and injured workmen's compensation. It does not necessarily follow that the other compensation ought to come up on the same grade. I say that, although there may be a great deal of criticism because of the remarks that I make, but I believe that to be the sounder method of the two, and that we ought to keep that in mind when we again sit down to revise Workmen's Compensation.

Mr. President, it has been a great struggle in Pennsylvania because under our present set up, the basic industry of coal in Pennsylvania suffers very much when payments are increased in Workmen's Compensation, and that because years ago the coal industry allowed itself to be dicriminated against, they allowed themselves to be set up into a seprate classification, and into a fund of their own. Now, knowing the coal industry is a high risk industry, it probably was never called to the attention of the Members of the General Assembly until 1935, 1936 and 1937 that coal was the determining factor in the

limited amounts of compensation to be paid because those of us who want to pay the maximum amounts are always confronted with the very serious charge that we are injuring an already injured industry.

Now, if I had my way, and if the coal industry had its way, Mr. President, I am sure that coal would be put into the common pool in order that the rates would then be set upon the total injuries sustained all over the industry. It seems to me that we deal in compensation from the viewpoint of economics too much when, basically and truthfully, workmen's compensation is more or less social legislation than it is economic legislation, and yet however, it is true that if you let economics out of it, we would have no social legislation because of the fact that there must be some relationship between cost and benefits.

Mr. President, I would like to see the day come when we could take and place in Pennsylvania a limit by law, as they have in the state of West Virginia, where they try to protect their coal industry. The state of West Virginia puts the coal industry in a highly favorable competitive position as against Pennsylvania because of increased cost of Compensation as reflected in higher sales cost of the coal production of this Commonwealth, and we all know, as I have already stated on the floor, that we find that industry now rather prostrate and in a difficult situation when it comes to commercial competition. I, for one, will say that sooner or later we must come to it, sooner or later we must take all the risks, and put them together so that we can give greater payments to the injured workmen without doing damage to one industry.

Mr. President, it is too bad that the general commercial industry, the general industry of this Commonwealth of ours, has always been able to use coal as the bulwark of its fight against increased payments for workmen. This \$25 maximum is long over due. We, the Democratic Party, have fought for it since 1937. If those of you will allow your minds to go back, you will remember that in 1935 we introduced the first \$25 maximum, in 1937 we passed the first \$25 maximum compensation law, and had it partially destroyed by a decision of the Supreme Court. I have not thought out the consequences as to whether or not the Supreme Court will maintain the same position if and when this particular bill is taken before them. However, I do say that it is long overdue, but we are not going to be so blind as to say to you that because it is long overdue, we are not welcoming it. We welcome this increased payment to the injured workmen in Pennsylvania. We do say that it could be more, we do say that it should be more, but we are not going to say that we will be against it because it is insufficient. That is one of the oldest tricks in the legislative books.

Years ago they tell me there were certain men who used to serve in the Halls of this Senate, who, when a proposal was made to increase workmen's compensation \$1 or \$2 per week, would always stand up and demand that it should be increased \$8 or \$10 per week, and then they would stand in the position and say "If you won't give us \$8 or \$10, we don't want any", and as a result of that, from 1915 until 1935, there was no increased workmen's compensation benefits in the Commonwealth of Pennsylvania. We do not take that blind and arrogant attitude. We are grateful for the fact that we, at this time, can say to labor, "Something has been added, some additional benefit has been given", and we also will say that we will

continue to believe, and will continue to strive for better and greater benefits as the time demands, so that greater benefits will be paid.

Mr. President, I want to say, in order that all of you understand, there are a great many things I am not going to cover. I am not going to cover the whole field, but in order that you know that we have not reached, as I said last night, the ultimate, we have not reached the ultimate, it might interest you to know this, that Pennsylvania's minimum payment is \$7.48 a week, and twenty-two other states in the Union pay more. When you figure that out of the forty-eight states, there are at least twenty-seven of the forty-eight states that are non-industrial in character that are more or less of the agricultural state, you can see that we do not fit very high up on the ladder.

Up until the passage of the act, Pennsylvania's maximum, as I told you before, was \$20. Thirty-one states paid more. Pennsylvania's minimum actual wage, if the actual wage is not under \$5, is \$10 under workmen's compensation, and sixteen states pay more than that. Pennsylvania's total maximum by law is \$10,000, and twenty-three states pay more, and I think that it is important that you know this.

Mr. President, I would like to give you one illustration here which ought to be very interesting to those of you who have any compunctions about voting for this legislation today. As to the maximum amount payable for scheduled injuries, twenty-five states in the Union pay more than Pennsylvania. For instance, Wisconsin pays, for the loss of an arm up at the shoulder, \$12,950. A great many other states pay sums ranging from \$7,000 to \$12,950. We find ourselves, in Pennsylvania, in the position of being twenty-sixth on the list of States.

Now, Mr. President, it might interest some of you to know that we are not increasing the benefit period by this legislation, we are increasing benefit payments over the specified weeks now contained within the law. I think that one of the greatest humanitarian and social acts ever passed in this Commonwealth was the original Workmen's Compensation Act. I believe that many helpless workmen were aided in the early days, when under the old act, or rather under the old common law, unless they were influential they could not hope to gain for their families some relief when injured in employment.

Mr. President, I think this is one of the greatest steps forward since 1937, and I want to say at this moment, if the Members of the Senate will analyze the situation, that this step is a very important step in Pennsylvania.

Mr. President, I join with all friends of labor in the Commonwealth in saying that for the moment we will take this legislation, and hope that in the future, when the need arises, and it does and will arise, we will fight for greater payments.

Mr. ROSENFELD. Mr. President, in concurring in the remarks of my colleague from Westmoreland, Senator Dent, I would like to add this comment. By the Senate going along in a great part in what was done in the House in computing compensation by the wage rate, a considerable measure of justice is being shown. All of us are glad to see this. The wording used to accomplish this desirable purpose is clear. As we understand it, two purposes are intended, to be fair to both employer and employee. First, compensation is based on the wage rate. If a man is injured and he is thereby prevented from working full time,

at least so long as the injury lasts, his compensation should be on the five day week as the standard working time could he work. Secondly, compensation, plus earnings thereafter, should be limited by what the injured man could have earned full time had he not been hurt at his previous occupation. This is important, especially where the man can no longer do what he previously did, and has to accept a job at lower pay. On the other hand, Mr. President, an injured fellow employee does not want the injured man going home with more in his pocket for the week than he got before he was injured.

Under these circumstances, we can accept the amendments, and find in the wording, as we agreed to and understand it, what is fair to all concerned.

Mr. NEFF. Mr. President and Members of the Senate, I might well say that I am in complete accord with everything said by my distinguished colleagues from Westmoreland and from Philadelphia, and it is difficult, and it seems without purpose for me to rise here and speak on these measures when I, too, am going to vote in the affirmative.

Mr. President, I would first like to express my sincere appreciation to those majority Members of the Senate Committee on Labor and Industry who worked so dilligently to see that labor was treated equitably in the matter of the "Romig Decision". I am appreciative for their efforts, and for those Members of the Majority Caucus who also voted in favor of inserting this amendment in this act, but labor has asked for greater consideration than we are being given by the Senate of Pennsylvania, and the House of Pennsylvania in this 1949 Session. We have not asked for anything that we have not found was justified, and to say that by voting for these measures that the trade unionists in this state are getting their full share, were being treated in fairness and with equity, would not be true.

For example, Mr. President, myself and other Members of the Minority Group here in the Senate have introduced for consideration a great number of bills during this session. For instance, Senate Bill No. 360, if acted upon favorably, would have adequately liberalized the Compulsory Occupational Disease Act; Senate Bill No. 361 would have adequately liberalized the Compulsory Workmen's Compensation Act; Senate Bill No. 520 would have made vocational rehabilitation complete; Senate Bill No. 314 would have removed experience rating; Senate Bill No. 316 would have adequately liberalized benefits; Senate Bill No. 518 would have extended the coverage footing; Senate Bill No. 166 would have repealed the 1947 law against state employes; Senate Bill No. 256 would have extended Civil Service to qualified 1943 employes; Senate Bill No. 79 would have equalized the anti-injunction laws; and Senate Bill No. 309 would have established a standard forty hour work week for women, and so on.

Mr. President, we have introduced many measures during this Session, and the sum total of our gains for labor and for the working people of the Commonwealth has been an increase of \$5 per week in unemployment Compensation, \$5 per week additional to the Occupational Disease Act, and \$5 per week to the Workmen's Compensation Act. Now, these things we have asked for, we have felt fair. For instance, in the Occupational Disease Act, we find that a worker in Pennsylvania, disabled because of silicosis contracted in the mills and the mines of Pennsylvania, receives as a total payment the sum of \$5,000, or

an amount that he might well be able to have earned, had he not been disabled because of silicosis, in a year or two years at the most.

Mr. President, we have had in the last four years in Pennsylvania 1,546 eligible claims submitted to the Workmen's Compensation Bureau because of silicosis. Now, it is my contention that a man who is disabled because he has contractor silicosis, is just as disabled as though he had had his legs cut off, or his arms cut off, or were blinded. Yet, if a man is blinded in Pennsylvania, if he is totally disabled, he will receive far greater benefits than a man who is afflicted with silicosis.

So, Mr. President, I submit that to eliminate silicosis from full coverage under the Occupational Disease Act is an injustice to those workers in the foundries, mills, factories, mines and quarries of this state who are subject to this type of industrial disease.

Mr. President, I had hoped when I came down here that we might do something in the 1949 Session of this legislature to correct this inequity. Well, we have done nothing except raise the benefits from \$4500 to \$5000. As the gentleman from Westmoreland, Senator Dent, has painted out, there are a great many states in the Union that more adequately cover and protect the workmen than we do here in Pennsylvania, the greatest of all industrial states. In Pennsylvania, for death in a mine, or factory, or if a workmen is totally disabled, with certain exceptions, the limit in payment under this new amended Act amounts to \$12,500. We have at least twenty other states that pay, for total disability, \$20, \$25, and \$31 a month for life, and for death, to the widow, for the term of her widowhood, and scale payments for children up to the age of eighteen.

Now, Mr. President, it seems to me that we have not fully considered the responsibilities of industry, and of the Commonwealth, and of the Senate of Pennsylvania in saying to our peoples in the mills and the mines, that if you are killed in industry, \$12,500 is the total payment that will be paid to your heirs, or if you are totally disabled \$12,500 is the total that you can receive under the Workmen's Compensation Act, or the Occupational Disease Act. I think that we here in Pennsylvania should not be second to any state in the Nation in the care and consideration of our workmen.

And the question recurring,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett.	Haluska,	Neff.	Taylor,
Berger.	Hare.	Pechan,	Toole,
Blass.	Holland.	Peelor,	Wade,
Chapman.	Homsher.	Robinson,	Wagner,
Crowe.	Kephart.	Rosenfeld,	Walker,
Dent.	Lane.	Ruth,	Watkins,
Diehm.	Leader.	Scarlett,	Watson,
DiSilvestro.	Letzler,	Snowden,	Wolfe,
Doehla.	Lord.	Stevenson,	Wood, L. H.,
Donlan.	Mahany,	Stiefel,	Wood, T. N.,
Farrell.	Mallery.	Tallman,	Yosko,
Frazier,	McPherson, Jr.		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1049, as follows:

An Act to further amend section four hundred four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by increasing benefits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1186) is hereby further amended to read as follows

Section 404 Rate and Amount of Compensation Compensation shall be paid to each eligible employee in accordance with the following provisions of this section except that compensation payable with respect to weeks ending in benefit years which begin prior to the first day of July one thousand nine hundred forty-nine shall be paid on the basis of the provisions of this section in effect at the beginning of such benefit years

(a) The employee's weekly benefit rate shall be that rate which appears in "Part B" and which is on the same horizontal line in "Part A" as the interval which includes his "highest quarterly wage"

(b) The "highest quarterly wages" of an employee shall be the total wages (computed to the nearest dollar) which were paid to such employee in that calendar quarter in which such total wages were highest during the base year

(d) Each eligible employee who is unemployed with respect to any week shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate less that part of the remuneration if any paid or payable to him with respect to such week which is in excess of three dollars (\$3.00) such compensation if not a multiple of one dollar (\$1.00) shall be computed to the next higher multiple of one dollar (\$1.00) Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months the maximum amount of compensation payable to any employee for a week of unemployment

ending during the next calendar quarter shall not be in excess of [eighteen dollars (\$18)] twenty dollars (\$20)

(e) Any otherwise eligible employee shall be entitled during his benefit year to an amount equal to his weekly benefit rate multiplied by the number which appears at the top of a column under "Part C" to be ascertained by locating on the same horizontal line on which his weekly benefit rate appears the interval which includes the total wages paid to him during his base year Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months no employee shall be paid compensation with respect to weeks of unemployment ending during the next calendar quarter in an amount which together with any amounts previously paid with respect to the same benefit year would be in excess of [sixteen] twenty times the employee's weekly benefit rate or [two hundred and eighty-eight dollars (\$288)] four hundred dollars (\$400) whichever is the lesser [And provided further That no employee shall be paid compensation in excess of twenty times his weekly benefit rate with respect to any benefit year which begins prior to the first day of October one thousand nine hundred forty-seven]

(f) For purposes of this section and of section four hundred one (a) wages paid with respect to employment performed under Shipping Articles shall be considered as having been paid in the respective calendar quarters in which the services of the employee were being performed

#### Tables Specified for the Determination of Rate and Amount of Benefits

##### (Section 404 Pennsylvania Unemployment Compensation Law)

Part A Highest Quarterly Wages	Part B Weekly Benefit Rate	9	10	11
\$60-212	\$8	\$240-265	\$266-293	\$294-321
213-237	9	270-298	299-330	331-361
238-262	10	300-332	333-367	368-402
263-287	11	330-365	366-403	404-442
288-312	12	360-398	399-440	441-482
313-337	13	390-431	432-476	477-522
338-362	14	420-464	465-513	514-562
363-387	15	450-498	499-550	551-603
388-412	16	480-531	532-587	588-643
413-437	17	510-564	565-624	625-683
438-462	18	540-598	599-661	662-724
463-487	19	570-632	633-698	699-765
488 [or more]-512	20	600-665	666-735	736-805
513-537	21	630-698	699-771	772-845
538-562	22	660-731	732-808	809-885
563-587	23	690-764	765-845	846-925
588-612	24	720-798	799-882	883-966
613 or more	25	750-831	832-918	919-1006

#### Tables Specified for the Determination of Rate and Amount of Benefits

##### (Section 404 Pennsylvania Unemployment Compensation Law)

Part C Base Year Wages				
12	13	14	15	16
\$322-349	\$350-377	\$378-405	\$406-433	\$434-461
362-393	394-424	425-456	457-487	488-519
403-437	438-472	473-507	508-542	543-577
443-480	481-519	520-557	558-596	597-634
483-524	525-566	567-608	609-650	651-692
523-567	568-613	614-658	659-704	705-749
563-611	612-660	661-709	710-758	759-807
604-655	656-708	709-760	761-813	814-865
644-699	700-755	756-811	812-867	868-923

684-743	744-802	803-862	863-921	922-981
725-787	788-850	851-913	914-976	977-1039
766-831	832-898	899-964	965-1031	1032-1097
806-875	876-945	946-1015	1016-1085	1086-1155
846-918	919-992	993-1065	1066-1139	1140-1212
886-962	963-1039	1040-1116	1117-1193	1194-1270
926-1006	1007-1086	1087-1167	1168-1247	1248-1328
967-1050	1051-1134	1135-1218	1219-1302	1303-1386
1007-1093	1094-1181	1182-1268	1269-1356	1357-1443

Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part A Highest Quarterly Wages	Part B Weekly Benefit Rate	17	18	19
\$60-212	\$8	\$462-489	\$490-517	\$518-545
213-237	9	520-550	551-582	583-613
238-262	10	578-612	613-647	648-682
263-287	11	635-673	674-711	712-750
288-312	12	693-734	735-776	777-818
313-337	13	750-795	796-840	841-886
338-362	14	808-856	857-905	906-954
363-387	15	866-918	919-970	971-1023
388-412	16	924-979	980-1035	1036-1091
413-437	17	982-1040	1041-1100	1101-1159
438-462	18	1040-1102	1103-1165	1166-1228
463-487	19	1098-1164	1165-1230	1231-1297
488 [or more]-512	20	1156-1225	1226-1295	1296-1365
513-537	21	1213-1286	1287-1359	1360-1433
538-562	22	1271-1347	1348-1424	1425-1501
563-587	23	1329-1408	1409-1489	1490-1569
588-612	24	1387-1470	1471-1554	1555-1638
613 or more	25	1444-1531	1532-1618	1619-1706

Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part C Base Year Wages				
20	21	22	23	24
\$546-573	\$574-601	\$602-629	\$630-657	\$658 or more
614-645	646-676	677-708	709-739	740 or more
683-717	718-752	753-787	788-822	823 or more
751-788	789-827	828-865	866-904	905 or more
819-860	861-902	903-944	945-986	987 or more
887-931	932-977	978-1022	1023-1068	1069 or more
955-1003	1004-1052	1053-1101	1102-1150	1151 or more
1024-1075	1076-1128	1129-1180	1181-1233	1234 or more
1092-1147	1148-1203	1204-1259	1260-1315	1316 or more
1160-1219	1220-1278	1279-1338	1339-1397	1398 or more
1229-1291	1292-1354	1355-1417	1418-1480	1481 or more
1298-1363	1364-1430	1431-1496	1497-1563	1564 or more
1366-1435	1436-1505	1506-1575	1576-1645	1646 or more
1434-1506	1507-1580	1581-1653	1654-1727	1728 or more
1502-1578	1579-1655	1656-1732	1733-1809	1810 or more
1570-1650	1651-1730	1731-1811	1812-1891	1892 or more
1639-1722	1723-1806	1807-1890	1891-1974	1975 or more
1707-1793	1794-1881	1882-1968	1969-2056	2057 or more

Section 2 This act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,                      Geltz,                      Meade,                      Tarr,

Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wood,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House bill No. 1060, as follows:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by making beryllium poisoning an occupation disease changing the maximum and minimum rates and total amounts and aggregate of compensation extending the time in which disability must occur and further defining conditions for payment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section one hundred eight and section two hundred four of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" are hereby amended to read as follows

Section 108 The term "occupational disease" as used in this act shall mean only the following diseases

(A) Poisoning by arsenic lead mercury [or] maganese or beryllium their preparations or compounds in any occupation involving direct contact with handling thereof or exposure thereto

Section 204 No agreement compensation or release of damages made before the date of any disability or death resulting from occupational disease except the agreement defined in article three of this act shall be valid or shall bar a claim for damages for such disability or death and any such agreement other than that defined in article three herein is declared to be against the public policy of

this Commonwealth The receipt of benefits from any association society or fund shall not bar the recovery of damages by action at law nor the recovery of compensation under article three hereof and any release executed in consideration of such benefits shall be void provided however that if the employee receives unemployment compensation benefits such amount or amounts so received shall be credited as against the amount of the award made under the provisions of the occupational disease act

Section 2 Clauses (A) and (C) of section three hundred one clause (A) of which was amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (Pamphlet Laws 661) clauses (A) (B) (C) and (F) of section three hundred six and section three hundred seven of said act as amended by the act approved the eighteenth day of May one thousand nine hundred forty-five P. L. 661) are hereby further amended to read as follows

Section 301 (a) When employer and employee shall by agreement either express or implied as hereinafter provided accept the provisions of article three of this act compensation for disability or death of such employee caused by occupational disease arising out of and in the course of his employment shall be paid by the employer without regard to negligence according to the schedule contained in sections three hundred and six and three hundred and seven of this article but

1 No compensation shall be paid when the disability or death is caused by the employee's violation of law but the burden of proof of such fact shall be upon the employer

2 The maximum compensation payable under this article for disability and death resulting from silicosis anthraco-silicosis or asbestosis shall not exceed the sum of [four thousand dollars (\$4000)] five thousand dollars (\$5000) which shall be full and complete payment for all disability present or future or for death from such occupational diseases arising out of employment by any and all employers in this Commonwealth

\* \* \* \* \*

(c) Compensation for the occupational diseases enumerated in this act shall be paid only when such occupational disease is peculiar to the occupation or industry in which the employee was engaged and not common to the general population [and occurring within one year after the date of his last employment in such occupation or industry] whenever compensable disability or death is mentioned as a cause for compensation under this act it shall mean only compensable disability or death resulting from occupational disease and occurring within three years after the date of his last employment in such occupation or industry

Section 306 The following schedule of compensation is hereby established for total disability resulting from occupational disease subject to the limitations of section 301

(a) For the first five hundred weeks after the seventh day of total disability sixty-six and two-thirds per centum of the wages of the disabled employee as defined in section three hundred and nine but the compensation shall not be more than twenty-five dollars per week nor less than [ten dollars] twelve dollars and fifty cents per week and shall not exceed in the aggregate the sum of [ten thousand] twelve thousand five hundred dollars Provided That if at the date when disability begins the employee receives wages of less than [ten dollars] twelve dollars and fifty cents per week then he shall receive the full amount of such wages per week as compensation but in no event less than six dollars and twenty-five cents per week Nothing in this clause shall require payment of compensation after disability shall cease Should partial disability be followed by total disability the period of five hundred weeks mentioned in this clause of this section shall be reduced by the number of weeks during which compensation was paid for such partial disability

(b) For disability partial in character (except the particular cases mentioned in clause (c) ) sixty-six and two-thirds per centum of the difference between the wages of

the disabled employee as defined in section three hundred and nine and the earning power of the employee thereafter but such compensation shall not be more than [seventeen dollars] twenty-one dollars and twenty-five cents per week This compensation shall be paid during the period of such partial disability not however beyond three hundred weeks after the seventh day of disability Should total disability be followed by partial disability the period of three hundred weeks mentioned in this clause shall be reduced by the number of weeks during which compensation was paid for total disability The term "earning power" as used in this section shall in no case be less than the weekly amount which the employee receives after disability begins and shall in no case be less than five times his actual daily wage as fixed by the day hour or by the output of the employee and in no instance shall an employee receiving compensation under this section receive more in compensation and wages combined than a fellow employee in similar employment

(c) For all disability resulting from loss or loss of the use of members resulting from occupational disease the compensation shall be exclusively as follows

For the loss of a hand sixty-six and two-thirds per centum of wages during one hundred and seventy-five weeks

For the loss of a forearm sixty-six and two-thirds per centum of wages during one hundred and ninety-five weeks

For the loss of an arm sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of a foot sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a lower leg sixty-six and two-thirds per centum of wages during one hundred and eighty weeks

For the loss of a leg sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of an eye sixty-six and two-thirds per centum of wages during one hundred and twenty-five weeks

For the complete loss of hearing in both ears sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a thumb sixty-six and two-thirds per centum of wages during sixty weeks

For the loss of a first finger commonly called index finger sixty-six and two-thirds per centum of wages during thirty-five weeks

For the loss of a second finger sixty-six and two-thirds per centum of wages during thirty weeks

For the loss of a third finger sixty-six and two-thirds per centum of wages during twenty weeks

For the loss of a fourth finger commonly called little finger sixty-six and two-thirds per centum of wages during fifteen weeks

The loss of the first phalange of the thumb or of any finger shall be considered equivalent to the loss of one-half of such thumb or finger and shall be compensated at the same rate as for the loss of a thumb or finger but for one-half of the period provided for the loss of a thumb or finger

The loss of more than one phalange of a thumb or finger shall be considered equivalent to the loss of the entire thumb or finger

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

For the loss of a great toe sixty-six and two-thirds per centum of wages during forty weeks

For the loss of any other toe sixty-six and two-thirds per centum of wages during sixteen weeks

The loss of the first phalange of the great toe or of any toe shall be considered equivalent to the loss of one-half of such great toe or other toe and shall be compensated at the same rate as for the loss of a great toe

or other toe but for one-half of the period provided for the loss of a great toe or other toe

The loss of more than one phalange of a great toe or any toe shall be considered equivalent to the loss of the entire great toe or other toe

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation at the wrist shall be considered as the equivalent of the loss of a hand and amputation at the ankle shall be considered as the equivalent of the loss of a foot. Amputation between the wrist and the elbow shall be considered as the loss of a forearm and amputation between the ankle and the knee shall be considered as the loss of a lower leg. Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg. Permanent loss of the use of a hand arm foot leg eye finger or thumb great toe or other toe shall be considered as the equivalent of the loss of such hand arm foot leg eye finger or thumb great toe or other toe

This compensation shall not be more than twenty-five dollars per week nor less than [ten dollars] twelve dollars and fifty cents per week. Provided That if at the time of disability the employee receives wages of less than [ten dollars] twelve dollars and fifty cents per week then he shall receive the full amount of such wages per week as compensation but in no event less than [five dollars] six dollars and twenty-five cents per week

\* \* \* \* \*

(f) During the first [sixty] ninety days after disability begins the employer shall furnish reasonable surgical and medical services medicines and supplies as and when needed unless the employee refuses to allow them to be furnished by the employer. The cost of such services medicines and supplies shall not exceed [one hundred and fifty dollars] except that the board upon petition of the claimant may grant extra medical services for an additional thirty days not to exceed seventy-five dollars [two hundred and twenty-five dollars]. If the employer shall upon application made to him refuse to furnish such services medicine and supplies the employee may procure same and shall receive from the employer the reasonable cost thereof within the above limitations. In addition to the above service medicines and supplies hospital treatment services and supplies shall be furnished by the employer for the said period of [sixty] ninety days [except that the board upon petition of the claimant may grant an additional thirty days]. The cost for such hospital treatment service and supplies shall not in any case exceed the prevailing charge in the hospital for like services to other individuals. If the employee shall refuse reasonable surgical medical and hospital services medicines and supplies tendered to him by his employer he shall forfeit all rights to compensation for disability or any increase in his disability shown to have resulted from such refusal

\* \* \* \* \*

Section 307 In case of death resulting from occupational disease compensation shall be computed on the following basis and distributed to the following persons subject to the limitations of section 301

1 If there be no widow nor widower entitled to compensation compensation shall be paid to the guardian of the child or children or if there be no guardian to such other persons as may be designated by the board as hereinafter provided as follows

(a) If there be one child twenty-five per centum of wages of deceased but not in excess of [seven] eight dollars and seventy-five cents per week

(b) If there be two children thirty-five per centum of

wages of deceased but not in excess of [ten dollars] twelve dollars and fifty cents per week

(c) If there be three children forty-five per centum of wages of deceased but not in excess of [thirteen] sixteen dollars and twenty-five cents per week

(d) If there be four children fifty-five per centum of wages of deceased but not in excess of [sixteen dollars] twenty dollars per week

(e) If there be five children sixty-two and one-half per centum of wages of deceased but not in excess of [eighteen] twenty-two dollars and fifty cents per week

(f) If there be six or more children sixty-six and two-thirds per centum of wages of deceased but not in excess of twenty-five dollars per week

2 To the widow or widower if there be no children forty-four per centum of wages but not in excess of [twelve] fifteen dollars per week

3 To the widow or widower if there be one child fifty-three per centum of wages but not in excess of [fifteen dollars] eighteen dollars and seventy-five cents per week

4 To the widow or widower if there be two children sixty-two and one-half per centum of wages but not in excess of [eighteen] twenty-two dollars and fifty cents per week

5 To the widow or widower if there be three or more children sixty-six and two-thirds per centum of wages but not in excess of twenty-five dollars per week

6 If there be neither widow nor children entitled to compensation then to the father or mother if dependent to any extent upon the employee at the time of his death twenty-five per centum of wages but not in excess of [six] seven dollars and fifty cents per week. Provided however That in the case of a minor child who has been contributing to his parents the dependency of said parents shall be presumed. And provided further That if the father or mother was totally dependent upon the deceased employee at the time of his death the compensation payable to such father or mother shall be forty-five per centum of wages but not in excess of [eleven] thirteen dollars and seventy-five cents per week

7 If there be neither widow or widower children nor dependent parent entitled to compensation then to the brothers and sisters if actually dependent upon the decedent for support at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian or if there be no guardian to such other person as may be designated by the board as hereinafter provided

8 Whether or not there be dependents as aforesaid the reasonable expense of burial not exceeding two hundred and fifty dollars which shall be paid by the employer or insurer directly to the undertaker (without deduction of any amounts theretofore paid for compensation or for medical expenses)

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother or sister is under the age of sixteen. No compensation shall be payable under this section to a widow unless she was living with her deceased husband at the time of his death or was then actually dependent upon him and receiving from him a substantial portion of her support. No compensation shall be payable under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support. If members of decedent's household at the time of his death the terms "child" and "children" shall include stepchildren adopted children and children to whom he stood in loco parentis and shall include posthumous children. Should any dependent of a deceased employee die or remarry or should the widower become capable of self-support the right of such dependent or widower to compensation under this section shall cease. Provided however That upon remarriage of any widow the compensation of such widow shall continue as hereinbefore provided for one-third of

the period during which compensation then remains payable to her. Provided further That if upon investigation and hearing it shall be ascertained that the widow or widower is living with a man or woman as the case may be in meretricious relationship and not married or the widow living a life of prostitution the board may order the termination of compensation payable to such widow or widower. If the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased.

The wages upon which death compensation shall be based shall not in any case be taken to exceed [thirty dollars] thirty-seven dollars and fifty cents per week nor be less than [seventeen dollars] twenty-one dollars and twenty-five cents per week.

This compensation shall be paid during three hundred weeks and in the case of children entitled to compensation under this section the compensation of each child shall continue after said period of three hundred weeks until such child reaches the age of sixteen at the rate of seventeen and one-half per centum of wages but not in excess of [four and a half dollars] five dollars and seventy-five cents per week if there is one child twenty-seven and one-half per centum of wages but not in excess of [seven] eight dollars and seventy-five cents per week if there are two children thirty-eight and one-half per centum of wages but not in excess of [ten dollars] twelve dollars and fifty cents per week if there are three children fifty per centum of wages but not in excess of [thirteen] sixteen dollars and twenty-five cents per week if there are four children fifty-five per centum of wages but not in excess of [fourteen] seventeen dollars and fifty cents per week if there be five children and sixty per centum of wages but not in excess of [sixteen dollars] twenty dollars per week if there be six children or more.

The board may if the best interest of a child or children shall so require at any time order and direct the compensation payable to a child or children or to a widow or a widower on account of any child or children to be paid to the guardian of such child or children or if there be no guardian to such other person as the board as hereinafter provided may direct. If there be no guardian or committee of any minor dependent or insane employee or dependent on whose account compensation is payable the amount payable on account of such minor dependent or insane employee or dependent may be paid to any surviving parent or to such other person as the board may order and direct and the board may require any person other than a guardian or committee to whom it has directed compensation for a minor dependent or insane employee or dependent to be paid to render as and when it shall so order accounts of the receipts and disbursements of such person and to file with it a satisfactory bond in a sum sufficient to secure the proper application of the moneys received by such person.

Section 3 Clause (a) of section three hundred eight of said act as last amended by the act approved the twelfth day of June one thousand nine hundred forty-one (Pamphlet Laws 125) is hereby further amended to read as follows:

Section 308 (a) When compensation is awarded because of disability or death caused by silicosis anthracosis-silicosis asbestosis or any other occupational disease which developed to the point of disablement only after an exposure of five or more years the compensation for disability or death due to such disease shall be paid jointly by the employer and the Commonwealth in accordance with the following provisions if disability begins between October 1 1939 and September 30 1941 both dates inclusive the employer shall be liable for and pay fifty per centum of the compensation due and the Commonwealth fifty per centum thereof thereafter depending upon the date when disability begins the proportions of compensation for which the employer and the Commonwealth shall re-

spectively become liable shall be if disability begins between October 1 1941 and September 30 1943 the employer sixty per centum and the Commonwealth forty per centum if between October 1 1943 and September 30 1945 the employer seventy per centum and the Commonwealth thirty per centum if between October 1 1945 and September 30 1947 the employer eighty per centum and the Commonwealth twenty per centum if between October 1 1947 and September 30 [1949] 1951 the employer ninety per centum and the Commonwealth ten per centum the employer shall pay the full amount of compensation provided in this act for disability or death in all cases where disability begins on or after October 1 [1949] 1951.

Section 4 Section three hundred nine and four hundred two of said act are hereby amended to read as follows:

Section 309 Wherever in this article the term "wages" is used it shall be construed to mean the average weekly wages of the employee ascertained as follows:

(a) If at the time of the disability the wages are fixed by the week the amount so fixed shall be the average weekly wage.

(b) If at the time of the disability the wages are fixed by the month the average weekly wage shall be the monthly wage so fixed multiplied by twelve and divided by fifty-two.

(c) If at the time of the disability the wages are fixed by the year the average weekly wage shall be the yearly wage so fixed divided by fifty-two.

(d) If at the time of the disability the wages are fixed by the day hour or by the output of the employee the average weekly wage shall be the wage most favorable to the employee computed by dividing by thirteen the total wages of said employee earned in the employ of the employer in the first second third or fourth period of thirteen consecutive calendar weeks in the fifty-two weeks immediately preceding the accident or in case the employee receives wages monthly or semimonthly by dividing by thirteen the total wages of said employee earned in the employ of the employer in the first second third or fourth period of three consecutive calendar months in the year immediately preceding the accident.

If the employee has been in the employ of employer less than thirteen calendar weeks (or three calendar months) if the employee receives wages monthly or semi-monthly immediately preceding the disability his average weekly wage shall be computed under the foregoing paragraph taking "total wages" for such purpose to be the amount he would have earned had he been so employed by employer the full thirteen calendar weeks (or three calendar months) immediately preceding the disability and had worked when work was available to other employees in a similar occupation unless it be conclusively shown that by reason of exceptional causes such method of computation does not ascertain fairly the "total wages" of the employee so employed less than thirteen calendar weeks (or three calendar months).

(e) In occupations which are exclusively seasonal and therefore cannot be carried on through the year the average weekly wage shall be taken to be one-fiftieth of the total wages which the employee has earned from all occupations during the twelve calendar months immediately preceding the disability unless it be shown that during such year by reason of exceptional causes such method of computation does not ascertain fairly the earnings of the employee in which case the period for calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings.

The terms "average weekly wage" and "total wages" as used in this section shall include board and lodging received from the employer and when so received the board shall be rated at fifty cents per day and board together with lodging shall be rated at one dollar per day but such terms shall not include gratuities received from the employer or others nor shall such terms include amounts deducted by the employer under the contract of hiring for labor furnished or paid for by the employer and necessary for the performance of such contract by the

employe nor shall such terms include deductions from wages due the employer for rent and supplies necessary for the employe's use in the performance of his labor

Where the employe is working under concurrent contracts with two or more employers and the defendant employer has knowledge of such employment prior to the disability his wages from all such employers shall be considered as if earned from the employer liable for compensation

If under clauses (a) (b) (c) (d) and (e) of this section the amount determined is less than if computed as follows this computation shall apply viz divide the total wages earned by the employe during the last two completed calendar quarters with the same employer by the number of days he worked for such employer during such period multiplied by five

Section 402 (a) [Immediately after this act becomes effective the Governor shall request the deans of all legally recognized medical schools in Pennsylvania to serve as a committee whose duty it shall be to nominate ten physicians especially qualified by training and experience for membership on the medical board of the ten nominees three shall be roentgenologists and three shall be pathologists the committee of deans shall certify its nominations to the secretary of labor and industry] the governor shall request each dean of legally recognized medical schools in Pennsylvania to submit the names of three physicians including a roentgenologist and a pathologist whom they consider especially qualified by training or experience for membership on the medical board

(b) [From the names certified to him as aforesaid the secretary of labor and industry with the approval of the Governor shall select a medical board of three members which shall include one roentgenologist and one pathologist members of the medical board shall serve without term and shall receive for their entire service in each case submitted to them the sum of one hundred dollars (\$100) their compensation and necessary traveling expenses shall be paid out of the appropriation to the department for the administration of this act] from the names submitted in accordance with subsection (a) the Governor shall select and appoint a medical board of three members including a roentgenologist and a pathologist the members of the medical board shall serve without term and each shall receive for his entire services a salary at the rate of eight thousand five hundred dollars (\$8500) per annum except the chairman who so designated by the Governor shall receive a salary at the rate of nine thousand dollars (\$9000) per annum their compensation and necessary traveling expenses shall be paid out of the appropriation to the department for the administration of this act

(c) [From time to time the Governor may request the deans of all legally constituted medical schools in Pennsylvania to certify additional lists of names to the secretary of Labor and Industry such lists shall contain six names of whom two shall be roentgenologists and two pathologists] in the event of a vacancy the Governor shall select the appointee from a new list to be submitted by the deans in accordance with the provisions of subsection (a)

[(d) With the approval of the governor the secretary of Labor and Industry may from time to time fill vacancies in the membership of the medical board from the names certified to him by said deans of medical schools]

[(e)] The medical board shall have the power and its duty shall be to hear and determine controverted medical issues in cases arising under this act in accordance with the provisions of section 420 and its reports and findings shall be conclusive except that upon appeal to the courts the courts may inquire into the question whether the findings were based upon sufficient competent evidence

Section 5 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DISilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1077, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Allegheny County Pennsylvania for use in connection with the Moon Township Airport and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eight section of the first article of the Constitution of the United States to the acquisition by the United States of America of two tracts of land lying in the County of Allegheny Pennsylvania for use in connection with an airport officially designated Moon Township Airport the first tract being bounded and described as follows

Beginning for the same at a stone on the east side of S H R No 02006 it being a corner common to the land now or formerly belonging to H E Tener and the land now or formerly belonging to J McDonald and running thence with and binding on the outlines of New County Airport as the same is shown on the plat prepared by the Allegheny County Planning Commission Property Plan dated February 1943 Park H Martin Planning Engineer the 3 following courses and distances viz N 21° 59' W 416.29 feet S 73° 14' W 1090 feet to a stone N 6° 38' 30" W 1255 feet more or less thence for lines of division now made through said Airport the 3 following courses and distances viz N 88° W 2220 feet more or less N 3° 00' W 1425 feet more or less and N 48° 02' 22" E 1405 feet more or less to the outlines of said Airport thence with and binding thereon the 58 following courses and distances viz 71° 43' 30" W 2667.0 feet S 11° 26' 30" W 150.98 feet S 88° 11' 30" W 271.92 feet to the center of a Township Road S 4° 43' 30" E Binding on center line of said road 732.70 feet S 10° 46' 30" W 477.25 feet N 77° 43, 30" W 108.90 feet to a stone on the west side of said Township Road S 41° 39' W 1180.95 feet N 2° 15' W 108.90 feet S 85° 54' W 1672.70 feet to a

stone S 70° 46' W 534.58 feet to a stone S 71° 42' 30" W 696.30 feet S 81° 07' 30" W 1098.47 feet N 6° 21' E 2192.88 feet to the center line of the Township Road which runs along the north outline of said Airport thence with and binding on the center line of said Township Road and still on the outline of said airport the 6 following courses and distances viz S 69° 02' W 610.52 feet S 55° 33' W 438.71 feet S 72° 09' W 217.80 feet S 74° 14' W 736.0 feet S 71° 55' W 159.90 feet and S 89° 35' W 366.50 feet thence S 12° 57' 30" E leaving said Township Road and still binding on the outlines of said Airport 371.46 feet to a stone N 80° 21' 30" E 342.69 feet to a stone S 12° 08' E 707.18 feet N 81° 01' 30" E 312.25 feet to a stone S 12° 10' 30" E 634.31 feet to a stone S 81° 07' 30" W 122.73 feet S 12° 52' 30" E 1490.80 feet S 39° 36' W 949.22 feet S 24° 09' E 420.75 feet to a White oak tree N 74° 36' E 1443.23 feet to a stone S 60° 04' E 761.50 feet S 27° 25' 30" E 831.60 feet S 29° 33' 30" E 508.30 feet N 46° 14' E 1211.90 feet to an iron pin N 80° 27' 30" E 464.66 feet to a white oak tree N 80° 01' E 1612.32 feet to a stone S 29° 13' E 445.0 feet S 39° 19' E 1105.78 feet S 89° 25' 30" E 432.30 feet to a point in the center line of the Cliff Mine and Coraopolis Heights Road thence still binding on the outline of said airport and with the center of said road the 11 following courses and distances viz S 7° 49' E 165.64 feet southeast by a line curving toward the left with a radius of 150.07 feet for a distance of 175.75 feet S 74° 55' E 446.53 feet southerly by a line curving toward the right with a radius of 68.93 feet for a distance of 55.59 feet S 28° 43' E 124.08 feet southeasterly by a line curving toward the left with a radius of 203.08 feet for a distance of 105.72 feet S 58° 33' E 509.15 feet southeasterly by a line curving toward the right with a radius of 275.48 feet for a distance of 138.85 feet S 29° 39' E 77.49 feet southeasterly by a line curving toward the right with a radius of 305.19 feet for a distance of 85.42 feet and S 13° 39' E 120.57 feet thence N 49° 45' E leaving said last mentioned road still binding on the outlines of said airport 33.97 feet thence still on the outlines of said airport N 21° 26' W 264.0 feet to a stone S 57° 25' E 30.40 feet N 31° 11' 30" E 2136.73 feet S 36° 17' 30" E 312.65 feet N 46° 24' 10" E 1519.08 feet N 36° 30' W 610.80 feet S 89° 40' 30" E 1145.19 feet to a stone and N 56° 14' E 165.56 feet to the place of beginning containing 1026.573 acres of land

The second tract is bounded and described as follows

Beginning for the same at a point on the third line of the land described above as the first parcel at the distance of 1255 feet more or less along said line from a stone at the beginning thereof and running thence the three (3) following courses and distances for lines of division now made through the Moon Township Airport viz N 88° 00' W 2220 feet more or less N 3° 00' W 1425 feet more or less and W 48° 02' 22' E 1405.0 feet more or less to intersect the perimeter boundary of said Airport and thence with and binding on said perimeter boundary the seven (7) following courses and distances viz S 71° 43' 30" E 160 feet more or less S 83° 04' E 610.60 feet S 21° 38' 30" W 165 feet S 83° 04' E 264 feet S 21° 38' 30" W 301.45 feet N 72° 36' 30" E 183.42 feet to the end of the third line in said above referred to first parcel and thence S 6° 38' 30" E binding thereon reversely 1915 feet more or less to the place of beginning containing 102.0 acres of land more or less

Section 2 Exclusive jurisdiction in and over the aforesaid lands is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on said lands which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged

with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said lands shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1086, as follows:

An Act authorizing the recorder of deeds in counties of the first class to appoint and empower clerks employed in his office to administer oaths and affirmations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The recorder of deeds in counties of the first class may appoint and empower one or more clerks employed in his office to administer oaths and affirmations to all persons pertaining to the business of the recorder's office with the same force and effect as if administered by the recorder or deputy recorder

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,

Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1093, as follows:

An Act establishing a certain section of road over State-owned lands as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following section of a road over State-owned lands shall be adopted by the Commonwealth as a State Highway to be constructed and maintained at the expense of the Commonwealth under the provisions of present or future laws governing State highways

Beginning at a point on Route 12001 about .6 of a mile north of the Clearfield-Cameron County line thence southerly and northeasterly in Gibson and Grove Townships to a point on Route 12001 about .46 of a mile south of Route 105 in Cameron County a distance of about 8.5 miles

Section 2 The highway established as State highway under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act when the same shall become effective and shall be taken over not later than the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Berrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Peckan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1098, as follows:

An Act to further amend section fourteen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for an additional option at superannuation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read as follows

## Options

Section 14 At the time of his or her superannuation retirement any contributor may elect to receive his or her benefits in a retirement allowance payable throughout life or [if such retirement allowance amounts to less than ten dollars (\$10) per month] he or she may elect to receive the full amount of the accumulated deductions standing to his or her individual credit in the annuity saving account or he or she may on superannuation retirement elect to receive the actuarial equivalent at that time of his or her member's annuity State annuity or retirement allowance in a lessor member's annuity or a lesser State annuity or a less retirement allowance payable throughout life with the provisions that

Option 1 If he or she die before receiving in payments the present value of his or her member's annuity State annuity or retirement allowance as it was at the time of his or her retirement the balance shall be paid to his or her legal representatives or to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 2 Upon his or her death his or her member's annuity State annuity or retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 3 Upon his or her death one-half of his or her member's annuity State annuity or retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 4 Some other benefit or benefits shall be paid to either the contributor or such other person or persons as he or she shall nominate provided such other benefit or benefits shall together with such lesser member's an-

nuity or lesser State annuity or lesser retirement allowance be certified by the actuary of the retirement board to be of equivalent actuarial value and shall be approved by the retirement board

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1102, entitled:

An Act defining cold storage requiring licenses to operate cold storage warehouses and locker plants requiring records reports marking wrapping protecting limiting time of storage disposition sale return or transfer of foods in cold storage conferring powers on the Department of Agriculture including adoption of rules and regulations special permits for storage feeding stuffs for animal use and providing penalties for violation of this act.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. LLOYD H. WOOD. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there any objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 14, by inserting after the word "not" and before the word "used" the following: "principally."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1102, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1140, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of The Coal Mine Sealing Act of 1947

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million four hundred seven thousand dollars (\$1,407,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Mines for the purpose of administering the provisions of the Coal Mine Sealing Act of 1947 for the two fiscal years beginning June first one thousand nine hundred forty-nine

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1153, as follows:

An Act to further amend section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. five hundred eighty-nine) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain

facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes as indicated and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" as amended by the act approved the tenth day of July one thousand nine hundred forty-one (P. L. 345) and as further amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 786) are hereby deleted as indicated or amended to read as follows

Section 2 The city streets to be taken over under the provisions of this act in the cities hereinafter named shall be designated by numbers to be hereafter assigned by the Secretary of Highways and are situate and described as follows

In the City of Philadelphia

Beginning at [a point on the Philadelphia City-Yeadon Borough line on Baltimore Avenue thence over Baltimore Avenue to an intersection with Forty-second Street thence northerly over Forty-second Street to and the intersection of Thirty-ninth Street with Spring Garden Street thence easterly over Spring Garden Street to an intersection with Thirty-first Street thence northerly over Thirty-first Street to an intersection with Haverford Avenue thence westerly over Haverford Avenue to an intersection with [Forty-second Street] Lancaster Avenue [thence southerly over Forty-second Street to the intersection of Forty-second Street and Spring Garden Street] beginning again at the intersection of Thirty-first Street and Spring Garden Street thence easterly over Spring Garden Street to an intersection with the Parkway thence southeasterly over the Parkway to City Hall beginning again at the intersection of [the Parkway] Ridge Avenue and Race Street thence easterly over Race Street to the Delaware River Bridge approach beginning again at the intersection of the Delaware River Bridge approach and Vine Street thence westerly over Vine Street to an intersection with the [Parkway] proposed route along the west bank of the Schuylkill River a distance of about [8.25] 4.99 miles

Beginning at [a point on the Philadelphia City-Milbourne Borough line thence over Market Street to an intersection with Cobb's Creek Parkway thence southerly over Cobb's Creek Parkway to and the intersection of

Sixth Street with Chestnut Street thence easterly over Chestnut Street to an intersection with Fifth Street thence northerly over Fifth Street to an intersection with Spring Garden Street beginning again at the intersection of Spring Garden Street and Sixth Street thence southerly over Sixth Street to an intersection with [Walnut Street thence westerly over Walnut Street to an intersection with Cobb's Creek Parkway thence northerly over Cobb's Creek Parkway to an intersection with] Chestnut Street [beginning again at the intersection of Cobb's Creek Parkway and Walnut Street thence southerly over Cobb's Creek Parkway to an intersection with Sixty-first Street thence southerly over Sixty-first Street to an intersection with Baltimore Avenue] a distance of about [14.00] 1.78 miles

Beginning at [a point on the Philadelphia City-Yeadon Borough line on Sixty-fifth Street thence easterly over Sixty-fifth Street Chester Avenue and Sixty-fifth Street to an intersection with Kingsessing Avenue thence northeasterly over Kingsessing Avenue to an intersection with Fifty-second Street thence northwesterly over Fifty-second Street to an intersection with Chester Avenue thence northeasterly over Chester Avenue to an intersection of Chester Avenue and Forty-second Street thence northerly over Forty-second Street to an intersection with Baltimore Avenue thence northeasterly over Baltimore Avenue to and the intersection of Thirty-ninth Street with Woodland Avenue thence northeasterly over Woodland Avenue to an intersection with Chestnut Street near Thirty-third Street a distance of about [4.00] 0.65 miles

Beginning at a point on the Philadelphia City-Bucks County line on Roosevelt Boulevard thence over the Roosevelt Boulevard to an intersection with Hunting Park Avenue [thence over Hunting Park Avenue to an intersection with Allegheny Avenue thence westerly over Allegheny Avenue to an intersection with Ridge Avenue] thence over the Roosevelt Boulevard extended in a southwesterly direction to an intersection with the proposed route along the west bank of the Schuylkill River beginning again at the intersection of Allegheny Avenue with Ridge Avenue thence over Ridge Avenue and Park Drive to an intersection with City Avenue thence southwesterly over City Avenue to the Philadelphia City-Delaware County line at Cobb's Creek a distance of about [20.00] 23.51 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Lancaster Avenue thence southeasterly over Lancaster Avenue to an intersection with Spring Garden Street near Thirty-ninth Street a distance of about 3.50 miles

Beginning at the intersection of Thirty-ninth Street and Lancaster Avenue thence southerly on Thirty-ninth Street Filbert Street and Thirty-ninth Street to the intersection of Thirty-ninth Street and Baltimore Avenue thence southeasterly on University Avenue to an intersection with Thirty-fourth Street thence southerly over Thirty-fourth Street to an intersection with Vare Avenue thence southeasterly over Vare Avenue to an intersection with Oregon Avenue thence easterly over Oregon Avenue to an intersection with South Broad Street beginning again at the intersection of Thirty-ninth and Filbert Streets thence northerly over Filbert Street Saunders Avenue and Lancaster Avenue to the intersection of Thirty-ninth Street and Lancaster Avenue a distance of about 4.65 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Old York Road thence southerly over Old York Road to an intersection with North Broad Street thence southerly over North Broad Street to [City Hall thence by West Penn Square to the intersection of South Broad Street and South Penn Square] an intersection with Stenton Avenue a distance of about [8.00] 1.05 miles

Beginning at the intersection of Germantown Avenue and Mt Pleasant Avenue thence southwesterly over Mt Pleasant Avenue to an intersection with Lincoln Drive a distance of about 0.83 miles

Beginning at [a point on the Philadelphia City-Montgomery County line on Ogontz Avenue thence southerly over Ogontz Avenue to] an intersection of Ogontz Avenue

with Stenton Avenue thence southeasterly on Stenton Avenue to the intersection of Stenton Avenue and North Broad Street a distance of about [2.20] 0.48 miles

[Beginning at a point on the Philadelphia City-Bucks County line on Bustleton Avenue thence southerly on Bustleton Avenue to an intersection with Welsh Road thence over Welsh Road to the intersection of Welsh Road and Roosevelt Boulevard a distance of about 4.50 miles]

[Beginning at a point on the Philadelphia City-Montgomery County line on Philmont Avenue thence north-easterly over Philmont Avenue to its intersection with Bustleton Avenue a distance of about 0.70 of a mile]

Beginning at a point on the Philadelphia City-Bucks County line on Frankford Avenue thence southwesterly on Frankford Avenue to an intersection with Levick Street thence northwesterly on Levick Street to the intersection of Levick Street and the Roosevelt Boulevard a distance of about 6.00 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Cottman Avenue thence south-easterly over Cottman Avenue to an intersection with Frankford Avenue beginning again at the intersection of Frankford Avenue and Levick Street thence south-easterly over Levick Street to the approach to the Tacony-Palmyra Bridge a distance of about [4.50] 0.90 miles

Beginning at a point on the Philadelphia City-Delaware County line on Eighty-fourth Street thence southeasterly over Eighty-fourth Street to an intersection with Tinicum Avenue thence northeasterly over Tinicum Avenue to an intersection with South 80th Street thence southeasterly over South 80th Street to an intersection of South 80th Street with Penrose Ferry Road thence northeasterly on Penrose Avenue to an intersection with Moyamensing Avenue thence over Moyamensing Avenue to an intersection with South Broad Street [thence northerly on South Broad Street to City Hall thence by way of East Penn Square to the intersection of North Penn Square and North Broad Street] a distance of about [7.09] 3.50 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Germantown Avenue [the intersection of Bethlehem Pike with Germantown Avenue thence southeasterly over Germantown Avenue to an intersection with Mt Pleasant Avenue beginning again at the intersection of Rising Sun Avenue and Adams Avenue thence over Adams Avenue to an intersection with the Roosevelt Boulevard a distance of about [4.26] 2.46 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Bethlehem Pike thence south-easterly on the Bethlehem Pike to an intersection with the Germantown Avenue beginning again at an intersection of Germantown Avenue and Allen's Lane thence southerly over Allen's Lane to an intersection with Lincoln Drive thence southerly on Lincoln Drive to an intersection with Cliveden Street thence southerly on Cliveden Street to an intersection with Park Line thence over Park Line to an intersection with Walnut Lane thence over Walnut Lane to an intersection with Ridge Avenue thence southerly on Ridge Avenue to the intersection of Park Drive and Ridge Avenue beginning again at the intersection of Allegheny Avenue and Ridge Avenue thence southerly on Ridge Avenue to an intersection with Twenty-ninth Street thence southerly on Twenty-ninth Street to an intersection with Girard Avenue thence easterly on Girard Avenue to an intersection with West College Avenue thence southerly on West College Avenue to an intersection with Twenty-fifth Street thence southerly on Twenty-fifth Street to an intersection with Pennsylvania Avenue thence southeasterly on Pennsylvania Avenue to an intersection with Spring Garden Street thence over Spring Garden Street to the intersection of Spring Garden Street and Delaware Avenue beginning again at the intersection of Pennsylvania Avenue and Twenty-fifth Street thence northwesterly on Pennsylvania Avenue to the intersection of Twenty-sixth Street thence northerly over Twenty-sixth Street to the intersection of Twenty-sixth Street and Girard Avenue [beginning again at the intersection of Girard Avenue and Twenty-ninth

Street thence westerly on Girard Avenue to an intersection with a park drive near Thirty-first Street beginning again at the intersection of Spring Garden Street and Pennsylvania Avenue thence westerly over Spring Garden Street to an intersection with a park drive] a distance of about [11.00] 10.95 miles

[Beginning at a point on the Philadelphia City-Rockledge Borough line on Oxford Avenue thence southerly on Oxford Avenue to an intersection with Rising Sun Avenue thence southwesterly on Rising Sun Avenue to the intersection of Rising Sun Avenue and Roosevelt Boulevard a distance of about 3.40 miles]

[Beginning at a point on the Philadelphia City-Montgomery County line on Haverford Avenue thence south-easterly on Haverford Avenue to an intersection with Forty-second Street a distance of about 4.25 miles]

[Beginning at a point on the Philadelphia City-Delaware County line on Lansdowne Avenue thence northerly over Lansdowne Avenue to an intersection with Haverford Avenue beginning again at an intersection of Haverford Avenue and Girard Avenue thence easterly over Girard Avenue to an intersection with a park drive near Thirty-first Street thence southerly over the park drive to an intersection with the Parkway at Spring Garden Street a distance of about 4.80 miles]

[Beginning at a point on the Philadelphia City-Delaware County line on Seventy-first Street thence northerly over Seventy-first Street to an intersection with Lansdowne Avenue a distance of about 0.50 of a mile]

[Beginning at a point on the Philadelphia City-Montgomery County line on East Washington Lane thence southwesterly over East Washington Lane to an intersection with Ogontz Avenue beginning again at the intersection of Washington Lane and Stenton Avenue thence southeasterly on Washington Lane to an intersection with Wayne Avenue thence northwesterly on Wayne Avenue to the intersection of Wayne Avenue and Lincoln Drive a distance of about 2.42 miles]

[Beginning at the Philadelphia City-Darby Borough line on Woodland Avenue thence northeasterly on Woodland Avenue to an intersection at Island Road thence southeasterly on Island Road to an intersection with Passyunk Avenue thence northeasterly on Passyunk Avenue to an intersection with South Broad Street a distance of about 4.57 miles]

[Beginning at a point on the boundary line between Delaware County and Philadelphia City on Marshall Road and extending in an easterly direction on Marshall Road to an intersection with Cobb's Creek Parkway a distance of 0.10 miles]

Beginning at a point at the intersection of Roosevelt Boulevard and Aramingo Avenue thence southeasterly and southwesterly on Aramingo Avenue to Norris Street thence southeasterly on Norris Street to Dyott Street thence southeasterly on Dyott Street to Delaware Avenue thence southwesterly on Delaware Avenue to Swanson Street thence southwesterly on Swanson Street to Oregon Avenue thence southwesterly on Oregon Avenue to an intersection with Moyamensing Avenue a distance of 12.1 miles

Beginning at a point at the intersection of Tacony Street and Aramingo Avenue thence northeasterly along Tacony Street and State Road to an intersection with Levick Street a distance of about 1.3 miles

Beginning at a point on the Philadelphia City-Montgomery County line at the intersection with Bethlehem Pike thence easterly on Stenton Avenue to an intersection with Stenton Avenue and Ogontz Avenue Beginning again at the intersection of North Broad Street and Godfrey Avenue thence in an easterly direction on Godfrey Avenue to an intersection of Godfrey Avenue and Adams Avenue thence over Adams Avenue to an intersection with Rising Sun Avenue a distance of 6.0 miles

[Beginning at an intersection of Allegheny Avenue and Hunting Park Avenue thence in a southwesterly direction on Hunting Park Avenue to an intersection with East River Drive a distance of about .8 miles]

Beginning at an intersection of Ridge Avenue and Vine

Street thence in a southeasterly direction on Ridge Avenue to an intersection of Ridge Avenue with Race Street a distance of about 0.15 mile

Beginning at a point at the intersection of Island Road and [Passyunk Avenue] Essington Avenue thence on Island Road in a southeasterly direction to an intersection with Penrose Avenue thence northeasterly over Penrose Avenue to an intersection with Eightieth Street a distance of about [2.30] 0.37 miles

Beginning at a point on the Philadelphia City-Delaware County line on Essington Avenue thence northeasterly [and northerly] on Essington Avenue to an intersection with [Passyunk Avenue] Island Road a distance of [3.1] 1.22 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Ridge Avenue thence southeasterly on Ridge Avenue to an intersection with Ridge Avenue and Henry Avenue and thence southeasterly on Henry Avenue to an intersection with Walnut Lane a distance of about 3.75 miles

Beginning at the intersection of Grant and Frankford Avenues thence northwesterly over Grant Avenue to the intersection of Grant Avenue and [Bustleton Avenues] the Roosevelt Boulevard a distance of about [three] 2.48 miles

Beginning on the Philadelphia City-Montgomery County line at an intersection with City Avenue near the Schuylkill River thence in a southerly direction along the west bank of the Schuylkill River to an intersection with University Avenue near the University Bridge over the Schuylkill River a distance of about 6.40 miles

Provided however that no part or portion of any street hereinbefore described shall be taken over as a State highway under the provisions of this act until after such part or portion shall have been legally opened by the city authorities in the same manner as other streets are now opened which form a part of the same route as herein described or an agreement shall have been entered into between the Commonwealth and city for such opening

Section 2 This act shall become effective on the first day of January one thousand nine hundred and fifty

And said bill having been read at length the third time and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Peckan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 1166, as follows:

An Act establishing a Retirement System for Fish Warden Employed by the Board of Fish Commissioners providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by fish wardens employed by the Board of Fish Commissioners and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes making an appropriation and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words and phrases as used in this act shall be construed to have the following meanings

"Accumulated Deductions" the total of the amounts deducted from the salary or wages of a contributor and paid into the fund and standing to his credit in the fund together with the regular interest thereon

"Beneficiary" any person in receipt of a retirement allowance under this act

"Board" the State Employees' Retirement Board of the Department of State

"Contributor" any Fish Warden who has accumulated deductions in the fund standing to his credit

"Employee" any person holding an office or position of fish warden under the Board of Fish Commissioners employed and paid on a yearly or monthly basis or employed regularly on a per diem or hourly basis or partly at a fixed annual or monthly salary and partly on a per diem or hourly basis Regular employment shall not be construed to include employment of less than one hundred days or seven hundred fifty hours in any year In all cases of doubt the Retirement Board shall determine whether any person is an employe as defined in this paragraph and its decision shall be final

"Final-Salary" the average annual compensation earnable by a contributor before any deductions have been made and exclusive of maintenance allowances and expenses for the five years of service immediately preceding retirement or in the event an employe has not served five years the total retirement compensation earnable divided by the number of the years served

"Fund" the State Employees' Retirement Fund

"Fish Commissioners" the Board of Fish Commissioners

"Member's Annuity" payments for life derived from contributions made by the contributor

"Member" shall mean a fish warden employed by the Board of Fish Commissioners who shall be a member of the retirement system established by this act

"Original Member" A fish warden who was at any time a State employe prior to January first one thousand nine hundred twenty-five and who is a fish warden under the Board of Fish Commissioners

"New Member" a person who became a fish warden subsequent to December thirty-first one thousand nine hundred twenty-four

"Prior Service" shall mean State service prior to January first one thousand nine hundred twenty-four

"Regular Interest" interest at the rate of four per centum compounded annually

"Retirement Allowance" the State annuity plus the member's annuity

"State Annuity" payments for life derived from contributions made by the Commonwealth

"Superannuation Retirement Age" shall mean sixty years of age

Section 2 Fish Warden's Retirement System A retirement system is hereby established for the fish wardens of the Board of Fish Commissioners which system shall be administered by the State Employees' Retirement Board of the Department of State

Section 3 Administrative Expenses The expense of the

administration of this act exclusive of the payment of retirement allowances and other benefits shall be paid by the Commonwealth by biennial appropriations out of the General Fund made on the basis of estimates submitted by the board

**Section 4 Payments into State Employees' Retirement Fund** All payments or appropriations made from the Fish Fund all contributions by fish wardens of the Fish Commissioners in the amount hereinafter specified and all interest on and increase of the investments and moneys under this act shall be paid into the State Employees' Retirement Fund and shall be credited to the proper accounts in said fund as provided by law applying to said fund. The Fish Commissioners shall on receiving the certification of the board periodically contribute such sums of money as the actuary shall estimate shall be required to annually meet the obligations incurred or to be incurred and to establish the reserves provided for in this act

**Section 5 Rules and Regulations Actuarial Data Appropriations to Fund** The board shall from time to time establish such rules and regulations for the administration of this act as may be deemed necessary. It shall keep such data as shall be necessary for actuarial valuation purposes. The actuary of the board shall periodically make an actuarial investigation into the mortality and service experience of the contributors to and beneficiaries of the fund and shall adopt for the retirement system one or more mortality tables and certify to the board biennially the amount of contributions required to be made by the Fish Commissioners to the fund to build up and maintain adequate reserves for the payment of the State's share of the retirement allowances and other disbursements provided by this act

**Section 6 Compulsory Membership** Every fish warden of the Board of Fish Commissioners shall be required to become a member of the retirement system established by this act on January first one thousand nine hundred fifty and thereafter when first becoming a fish warden of the Fish Commissioners. Contributions by members under this act shall commence with the first payroll after January first one thousand nine hundred fifty. If any fish warden of the Board of Fish Commissioners shall have been at any time theretofore in the Commonwealth employed he shall receive credit for all such service prior to January first one thousand nine hundred fifty upon complying with the provisions of this act

**Section 7 Commonwealth Guarantee Biennial Budgets** The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the State and members' annuities in accordance with this act are hereby made obligations of the Commonwealth of Pennsylvania. The board shall prepare and submit to the budget secretary on or before the first day of November of each even-numbered year an itemized estimate of the amounts necessary to be paid or appropriated by the Fish Commissioners to complete the payments of the obligations of the Commonwealth during the fiscal biennium beginning June first of the following year

**Section 8 Service Allowance** In computing the length of service of a contributor for retirement purposes full credit shall be given to each contributor for each year of service rendered to the Commonwealth including service rendered prior to January first one thousand nine hundred fifty upon complying with the provisions of this act. As soon as practicable the retirement board shall issue to each original member a certificate certifying the aggregate length of his service prior to January first one thousand nine hundred twenty-four. Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the contributor. The time during which a contributor is absent from service without pay shall not be counted in computing the service of a contributor unless approved by the board

**Section 9 Payments by Contributors** All original and new members shall be required to contribute into the fund at the same rate of contribution according to age as is required of State employees contributing at the one one-

hundredth rate under the State Employees' Retirement Act. All fish wardens who were not members of the State Employees' Retirement System shall have the option of becoming original members of the retirement system established by this act but shall be required to pay into the fund a sum equal to all back payments which such person would have made had he become a member of the State Employees' Retirement System when the same was established. In like manner any new member may elect to make back payments to the date when he first entered the service of the Board of Fish Commissioners. Such back payments or original and new members may be spread over a period of years by having the regular payroll deduction of the contributor increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the full amount of such back payments have been completed. Any such deduction increase may be anticipated in part or in full by the contributor at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then his member's annuity shall be calculated on the total accumulated deductions standing to his credit in the fund and the State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of back payments not so anticipated

Every contributor who was a member of the State Employees' Retirement System shall receive full credit under this act for all contributions made into the fund and for all service credits to which he was entitled under the State Employees' Retirement System

**Section 10 Contributions by the Commonwealth** The Board of Fish Commissioners of the Commonwealth shall contribute from time to time sufficient moneys to build up the reserves required to pay to each contributor upon superannuation retirement a State annuity equal to two one-hundredth (1/100) of his final salary for each year of total service and in addition thereto if an original member of two one-hundredth (2/100) of his final salary for each year of prior service

The amounts to be paid by the Fish Commissioners into the State Employees' Retirement Fund shall be apportioned in the same ratio as the salaries of the employees of the Board of Fish Commissioners

**Section 11 Payments Upon Death** If the board shall find that a contributor died as a direct and proximate result of injuries received in the course of his employment or while on disability retirement allowance resulting from such injuries a retirement allowance shall be paid to his widow so long as she remains his widow and if and when such widow dies or remarries then to his children under eighteen (18) years of age while they are under eighteen (18) years of age and if and when there are no children under eighteen (18) years of age then to the members parent or parents if they are dependent

Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit and (b) a State annuity equal to fifty per centum (50%) of the final salary of the contributor less the amount which is paid to any such widow or children or dependent parent or parents under the Workmen's Compensation Laws of this Commonwealth during the period such compensation is paid or payable

**Section 12 Superannuation Retirement Allowance** Any contributor who has reached the superannuation retirement age may retire for superannuation by filing with the board a written application for retirement duly attested setting forth on what date he desires to be retired. Said application shall make the superannuation retirement allowance effective on the date so specified if such application was filed in the offices of the board or deposited in the United States mail addressed to the board before the date specified in the application and before the death of the contributor provided however That the date so specified in the application shall not be more than thirty days

from the date of filing or depositing the application in the mail

When a contributor retires for superannuation under the provisions of this section he shall be paid a retirement allowance disbursed according to his election as provided in section fifteen. Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to two one-hundredth (2/100) of his final salary for each year of total service and if an original member in addition thereto of two one-hundredth (2/100) of his final salary for each year of prior service but the State annuity shall not exceed fifty per centum (50%) of the contributor's final salary.

**Section 13 Disability Retirement Allowance.** In case of the disability of a contributor regardless of the length of service of the contributor a retirement allowance shall be granted the contributor which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to two one-hundredth (2/100) of his final salary multiplied by the number of years service but in any case not less than thirty per centum (30%) nor more than fifty per centum (50%) of said salary.

**Section 14 Involuntary Retirement Allowances.** Should a contributor be discontinued from service not voluntarily after having completed ten years of total service or voluntarily after having completed twenty-five years of total service but before reaching superannuation retirement age he shall upon filing of application in the manner herein provided for superannuation retirement be paid as he may elect as follows: (a) The full amount of the accumulated deductions standing to his credit or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit and in addition a State annuity having a value equal to the present value of a State annuity beginning at superannuation retirement age as provided in this act with respect to State annuities for superannuation retirement. The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement.

**Section 15 Options on Superannuation Retirement.** At the time of superannuation retirement any contributor may elect that the retirement allowance be payable in conformance with any one of the following plans:

(1) There shall be paid to the beneficiary the actuarial equivalent of the member's and State annuity as a retirement allowance payable throughout his life and upon the beneficiary's death all retirement allowance payments shall cease.

(2) If the retirement allowance would be less than ten dollars (\$10) per month there shall be paid to the beneficiary the full amount of the accumulated deductions standing to his individual credit in the Member's Annuity Reserve Account.

(3) There shall be paid to a beneficiary the actuarial equivalent of the member's and State annuity in a lesser retirement allowance payable throughout life with any one of the following provisions:

(a) If the beneficiary die before receiving in payments the present value of his member's annuity and State annuity as it was in the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board.

(b) Upon his death his member's annuity and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board.

(c) Upon his death one-half of his member's and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowl-

edged and filed with the board at the time of his retirement.

**Section 16 Monthly Payments of Retirement Allowances.** The retirement allowances granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed unless by an act of Assembly.

**Section 17 Refunds in Case of Withdrawal or Death.** Where a contributor resigns from service before becoming entitled to a retirement allowance or where a contributor has died and no application for a retirement allowance shall have been made by a person entitled to claim under the provisions of this act within six months after resignation or death then the amount standing to the credit of the contributor in the Member's Annuity Reserve Account shall be paid to him or to the person nominated by him by written designation duly acknowledged and filed by the contributor with the board or in lieu of such designation such amount shall be paid to his estate.

**Section 18 Exemption from Taxation and Execution.** Etc. Any money received or to be paid as a member's annuity State annuity or return of deductions or the right to any of these shall be exempt from any State or municipal tax and from levy sale garnishment attachment or any other process whatsoever and shall be unassignable except for a loan not in excess of three hundred dollars (\$300) the interest of which shall not exceed six per centum (6%) per annum received by a contributor from a credit union now or hereafter organized or incorporated under the laws of this Commonwealth the membership of which credit union is limited solely to officers and employees of the Commonwealth.

**Section 19 Nomination of Beneficiary.** Every contributor shall have the authority to change the person nominated by him as the beneficiary by written designation duly acknowledged and filed with the board up until but not after the time of retirement.

**Section 20 Fraud Correction of Errors.** (a) No person shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of the retirement system herein established in any attempt to defraud such system.

(b) Should any such change in records fraudulently made or any mistake in records inadvertently made result in any contributor or beneficiary receiving more or less than he would have been entitled to had the records been correct then on the discovery of such error the board shall correct such error and shall adjust the payments which shall be made to the contributor or annuitant in such manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid.

Any person violating any of the provisions of subsection (a) of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000) or suffer imprisonment not exceeding one (1) year or both in the discretion of the court.

**Section 21 Medical Expenses.** The fund shall upon approval by the board be available for the payment of the necessary and proper medical surgical and hospital expenses incurred as a direct and proximate result of illness contracted or injuries received in the course of a contributor's employment except as otherwise expressly herein provided. The fund shall upon approval by the board also be available for the payment of that portion of the necessary and proper medical surgical and hospital expenses not exceeding two hundred dollars (\$200) but in excess of twenty-five dollars (\$25) incurred by a contributor for any one other illness in the calendar year except as otherwise expressly herein provided. However in no event shall any charge for medical surgical or hospital expenses of a contributor whether incurred because of illness contracted or injuries received in the course of or outside of the course of employment be allowed until the contributor has resorted to all other

funds that may be rightfully charged with such expenses and there is a balance remaining unpaid

**Section 22 Subrogation** Where a third person is liable to the member or his dependents for injury or death the Commonwealth shall be subrogated to the right of the member or the dependents against such third person but only to the extent of the State annuity payable under this act by the Commonwealth. Any recovery against such third person in excess of the State annuity thereto-for paid or thereafter to be paid by the Commonwealth shall be paid forthwith to the contributor or the person designated by the contributor

**Section 23 Payments Under Other Laws** All payments provided for in this act are in addition to any other benefits now or hereafter provided for under any Workmen's Compensation Law or any other law except as otherwise herein provided

**Section 24 Amendments to Law** The Legislature shall have the right and the authority to alter stroke out add to or amend or supplement any of the provisions of this act or to repeal the entire act and the board shall have the same right and authority with reference to its regulations excepting that no law or regulation shall deprive a contributor of the money standing to his credit in the Member's Annuity Reserve Account

**Section 25 State Employees' Retirement Law to Apply Generally** Except as otherwise provided in this act the retirement system established by this act shall be administered in accordance with the laws rules and regulations applying to State Employees' Retirement System

**Section 26 Appropriation** the sum of fifteen thousand dollars (\$15,000) is hereby specifically appropriated to the Department of State for payment into the State Employees' Retirement Fund to cover the additional liability for reserve required by reason of the provisions of this act for the period commencing the first day of January one thousand nine hundred fifty and ending the thirty-first day of May one thousand nine hundred fifty-one

**Section 27 Constitutional Provisions** The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

**Section 28 Effective Date** This act shall become effective January first one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1232, as follows:

An Act to further amend sections five hundred eleven and six hundred ten of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the issuance of certain permits for excessive size and weight and fixing the fee therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

**Section 1** Sections five hundred eleven and six hundred ten of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 192) are hereby further amended to read as follows

**Section 511** Special hauling permits the fee for a special hauling permit which is issued for a single trip and which designates the route to be traversed as provided for in clause (a) of section six hundred and ten shall be five (\$5) dollars and two (\$.02) cents per ton of two thousand (2000) pounds or fraction thereof gross weight of vehicle and load for each mile or fraction thereof of length of haul payable to the authorities issuing such permit

The annual fee for a special permit which is issued for the license year and authorizes the operation of movement of heavy quarry equipment and machinery as provided for in clause (b) of section six hundred and ten shall be ten (\$10) dollars

The fee for a special permit which is issued for the period between the fifteenth day of June and the fifteenth day of November of each year and authorizes the operation or movement of any over-size self-propelled combine as provided for in clause (c) of section six hundred and ten shall be ten dollars (\$10)

**Section 610** Permits for Excessive Size and Weight The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdiction may at their discretion upon application in writing accompanied

by the fee provided in this act and good cause being shown therefor issue special permits in writing authorizing the applicant to operate or move upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible (a) a tractor or trailer of a size and weight exceeding the maximum specified in this act [Every] every such permit shall be issued for a single trip and shall designate the route to be traversed [and] (b) any heavy piece of quarry equipment or machinery of a size and weight exceeding the maximum specified by this act across any highway from one part of a quarry to another or upon the highways connecting by the most direct route any quarries or portions of quarries under the single ownership or operation of such person this permit to be issued for the license year as provided by this act [No] no such permit shall be issued for the movement of such equipment or machinery for a distance greater than one-half mile (c) any over-size self-propelled combine up to one hundred fifty (150) inches in width every such permit shall be issued for the period between the fifteenth day of June and the fifteenth day of November both inclusive for the movement of such equipment during the daylight hours within a radius of ten (10) miles from the owner's home or farm At other times a permit for the movement of such equipment shall be granted as otherwise herein provided Any of the above permits shall be subject to such rules and regulations and any other conditions or restrictions including the obligation on the part of the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not the same was attributable to negligence on the part of the permittee as shall be deemed necessary by the authorities granting such permit Every such permit shall be carried in the vehicle to which it refers shall be open to inspection by any peace officer or person having collision with the tractor or trailer and shall be revokable at any time at the discretion of the official who issued the same

And said bill having been read at length the third time, and agreed to,

And amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,-	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1260, on third reading, entitled:

An Act authorizing cities of the first class to adopt and enforce ordinances relating to health and sanitary conditions of leased dwellings to create Dwelling Inspection Boards in the Department of Public Health in such cities to require tenancy permits to be issued and to provide penalties for violations thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1262, on third reading, entitled:

An Act to amend sections ten and eleven of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts by permitting the central police court to close each day providing for the assignment of magistrates to divisional police courts eliminating provisions requiring rotation of magistrates assigned to police stations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1291, on third reading, entitled:

An Act to further amend subsection (a) of section nine of the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by further providing for the determination of persons of low income.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1292, on third reading, entitled:

An Act to further amend subsection (a) of section two hundred nineteen of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations." by further providing for the determination of persons of low income by nonprofit medical service corporations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1325, as follows:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-nine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as "The General Appropriation Act" of one thousand nine hundred forty-nine

Section 2 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive Legislative and Judicial Departments of the Commonwealth for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred forty-nine and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred forty-nine

##### I Executive Department

###### To The Governor

For the payment of the salary of the Governor and the salaries wages or other compensation of the Secretary to the Governor the Budget Secretary and other employees for the payment of general expenses supplies printing and equipment and any other expenses whatsoever necessary for the proper conduct of the work of the Governor his Secretary the Budget Secretary and the Executive Board for the payment of the costs of auditing the Department of the Auditor General as provided by law for the payment of traveling expenses of

persons other than employees of the Commonwealth appointed by the Governor to represent the Commonwealth in any capacity for the expenses incurred in the conduct of the Executive Mansion including the maintenance of employees assigned thereto for the expenses of entertainment of official guests and for the expense incident to the participation of the Governor in the Governor's Conference the sum of five hundred fifty thousand dollars (\$550,000)

###### To The Lieutenant Governor

For the payment of the salary of the Lieutenant Governor and for all necessary expenses including postage telegrams telephone toll charges and traveling clerical stenographic and discretionary expenses and for the care and maintenance of an automobile and mileage charges for the Department of Property and Supplies for the use of automobiles for the Lieutenant Governor the sum of thirty-three thousand five hundred dollars (\$33,500)

###### To The Department of The Auditor General

For the payment of the salary of the Auditor General and the salaries wages and other compensation of a deputy Auditor General and other employees for the payment of general expenses for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of two million one hundred twenty thousand dollars (\$2,120,000)

For the payment to the State's Fiscal Agent for the custody and safekeeping of the books and records pertaining to loans of the Commonwealth as provided by law the sum of one thousand dollars (\$1000)

For the cost of painting a portrait of Auditor General G Harold Wagner to be placed in the office of the Auditor General the sum of seven hundred fifty dollars (\$750)

For the payment of fees to county officers for furnishing information to the officers of the Commonwealth as provided by law the sum of four thousand dollars (\$4000)

For the payment of salaries and expenses of the Board of Arbitration of Claims the sum of fifteen thousand dollars (\$15,000)

###### To The Treasury Department

For the payment of the salary of the State Treasurer and the payment of salaries wages or other compensation of a deputy State Treasurer and other employees for the payment of general expenses for the purchase through the Department of Property and Supplies as agent of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks drafts warrants and requisitions for the payment of rentals of patented leased office devices and for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of one million one hundred ninety thousand four hundred dollars (\$1,190,400)

For the cost of painting a portrait of Treasurer Ramsey S Black to be placed in the Treasury Department the sum of seven hundred fifty dollars (\$750)

For the payment of salaries or other compensation of a secretary and other employees and for the payment of general expenses necessary for the proper conduct of the work of the Board of Finance and Revenue the sum of one hundred twenty thousand dollars (\$120,000)

For the payment of the difference between the interest earned by the moneys in the Agricultural College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to Pennsylvania State College the sum of fifty two thousand forty dollars (\$52,040)

For the payment of the compensation of the Commonwealth's Loan and Transfer Agent for service rendered in connection with the registration transfer and payment of interest on Veterans' Compensation Bonds and Public Buildings Construction Bonds and for other services required to be performed by the said Loan and Transfer Agent the sum of twenty three thousand three hundred seventy-four dollars (\$23,374)

For the payment of the expenses of publishing statements of the General Fund and other funds of the Commonwealth the sum of twenty thousand dollars (\$20,000)

For the payment of the cost of printing or engraving of bonds required by the Loan and Transfer Agent in making exchanges as requested by bondholders the sum of five hundred dollars (\$500)

For refunding the balances due or to become due retired county officers on account of overpayment of any taxes licenses fees or other moneys collected for and paid to the Commonwealth the sum of one thousand dollars (\$1000)

For refunding to purchasers of stock transfer tax stamps any sums that may be due them upon the surrender and return of such stamps as may be spoiled canceled mutilated or defaced unintentionally by accident or error the sum of two thousand five hundred dollars (\$2500)

For refunding transfer inheritance taxes on estates of resident decedents paid in error or overpaid the sum of two hundred fifty thousand dollars (\$250,000)

For refunding transfer inheritance taxes on estates of nonresident decedents paid in error or overpaid the sum of ten thousand dollars (\$10,000)

For refunding moneys paid by any person to any professional examining board or advisory committee or to the Department of Public Instruction on behalf of any such board or advisory committee the sum of two thousand five hundred dollars (\$2500)

For refunding fees paid for notary public commissions when such commissions have not been issued or if issued have not been received and have been canceled the sum of four thousand dollars (\$4000)

For refunding moneys which were paid into the State Treasury through escheat proceedings or without escheat either voluntary or by order of court to any persons making proof of their ownership or right of possession thereto in the manner provided by law the sum of two hundred twenty-five thousand dollars (\$225,000)

For the purpose of refunding moneys other than tax paid into the State Treasury to the credit of the General Fund which refunds are not specifically authorized by any other appropriation the sum of fifteen thousand dollars (\$15,000)

For the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue for the maintenance support care treatment housing fees or other fees or costs of any inmate pupil patient or student in any State-owned institution and for the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue to reimburse the Commonwealth for the share which it was supposed to have paid towards the support care and treatment of any pupil or patient in any mental hospital institution for the feeble-minded in part supported by the Commonwealth the sum of fifty thousand dollars (\$50,000)

For the purpose of refunding fees paid in connection with renewal applications for registration under The Securities Act which have been canceled before January first of the year for which the fees were paid the sum of five hundred dollars (\$500)

For the purpose of refunding collections by the Department of Public Assistance the sum of twenty-five thousand dollars (\$25,000)

For the payment of approved claims for refund of cigarette tax permit fees and cigarette tax stamps the sum of five hundred dollars (\$500)

For refunding liquid fuels tax erroneously paid or

overpaid into the General Fund the sum of two thousand dollars (\$2000)

For the payment of approved claims for refunds of fines collected under the provisions of the Motor Vehicle Code the sum of two thousand five hundred dollars (\$2500)

For the refund of moneys collected under the provisions of the "State Personal Property Tax Act" the sum of two thousand five hundred dollars (\$2500)

For the payment into the Sinking Fund to meet the interest and sinking fund requirements of the Veterans' Compensation Bonds issued under authority of the act approved the fifth day of January one thousand nine hundred thirty-four (one thousand nine hundred thirty-three and one thousand nine hundred thirty-four P. L. 219) the sum of five million six hundred thirteen thousand nine hundred forty-two dollars and fifty cents (\$5,613,942.50) according to the following schedule

Date of Payment	Principal	Interest	Total
September 1 1949 ..	\$	\$ 243,750.00	\$ 243,750.00
November 1 1949 ..	\$	120,000.00	120,000.00
March 1 1950 .....	1,237,253.21	243,750.00	1,481,003.21
May 1 1950 .....	912,843.04	120,000.00	1,032,843.04
September 1 1950 ..		203,125.00	203,125.00
November 1 1950 ..		90,000.00	90,000.00
March 1 1951 .....	1,237,253.21	203,125.00	1,440,378.21
May 1 1951 .....	912,843.04	90,000.00	1,002,843.04

Totals ..... \$4,300,192.50 \$1,313,750.00 \$5,613,942.50

For payment into the Public Buildings Construction Sinking Fund to meet the interest and sinking fund requirements of bonds issued under the provisions of Article Nine Section twenty-one of the Constitution of Pennsylvania as authorized by the 1947 Session of the General Assembly the sum of four million three hundred seventy-five thousand dollars (\$4,375,000) according to the following schedule

October 1 1949 ..	\$750,000.00	\$344,000.00	\$1,094,000.00
April 1 1950 .....	750,000.00	343,500.00	1,093,500.00
October 1 1950 ...	750,000.00	344,000.00	1,094,000.00
April 1 1951 .....	750,000.00	343,500.00	1,093,500.00

Totals ..... \$3,000,000.00 \$1,375,000.00 \$4,375,000.00

For payment into the Sinking Fund to meet the interest requirements of bonds issued under the authority of the World War II Veterans' Compensation Act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) the sum of seven million five hundred thousand dollars (\$7,500,000.00) The Governor the Auditor General and the State Treasurer shall determine the schedule of interest payments to be made from this appropriation into the Sinking Fund such schedule to depend upon when the bonds are issued and the interest rate payable

#### To the Department of Agriculture

For the payment of the salary of the Secretary of Agriculture and the payment of salaries wages or other compensation of a deputy secretary and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the purchase of insecticides for gypsy moth for the purchase of materials and for payment of the necessary expenses including vaccination of animals and for work of testing of animals to prevent spreading of dangerous contagious and infectious diseases for the payment of expenses of the State Farm Show Commission and the Pennsylvania Official Egg-Laying Contest for the payment of any expenses necessary in increasing and conserving the State's food supplies for the payment of any loss or damage by dogs to live stock domestic game birds and poultry as provided by law for expenses necessary in carrying out the provisions of the law with respect to soil conservation and for the purpose of compensating land owners according to existing law for the loss of cedar trees destroyed

by order of the department to prevent damage to apple orchards by cedar apple rust the sum of three million six hundred fifty thousand dollars (\$3,650,000.00)

For the payment of salaries wages or other compensation of employes and for the payment of all other expenses necessary for carrying out the provisions of the "Soil Conservation District Law" the sum of two hundred thousand dollars (\$200,000)

For the payment of the expenses of the department in conducting research to find measures for preventing transmission of and for curing diseases of cattle the sum of twenty-five thousand dollars (\$25,000)

For the purpose of reimbursing incorporated agricultural associations for premiums paid for exhibits of live stock live stock products horticultural products handiwork cereals bees and bee products as provided by law Provided That such associations file such reports as may be required by the Secretary of Agriculture the sum of one hundred thousand dollars (\$100,000)

For the payment of indemnities for and payment of expenses of testing animals appraised and destroyed to prevent the spread of dangerous contagious and infectious diseases as provided by law for the purchase of materials and for payment of the necessary expenses including vaccination of animals for control of dangerous contagious and infectious diseases the sum of two million two hundred fifty thousand dollars (\$2,250,000)

#### To the Department of Banking

For the payment of salaries wages or other compensation of the members of the Securities Commission and employes and for the payment of general expenses supplies printing and equipment necessary for the administration and enforcement of the Securities Act the sum of one hundred thirty-five thousand dollars (\$135,000)

#### To the Department of Commerce

For the payment of the salary of the Secretary of Commerce and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses advertising supplies printing and equipment necessary for the proper conduct of the work of the department including the work of the department with respect to collecting press information and distributing it to the several administrative departments boards and commissions and to legislative offices and legislative agencies the sum of one million two hundred thousand dollars (\$1,200,000)

For the payment of salaries wages or other compensation of a secretary and employes for the payment of traveling expenses of members for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Planning Board the sum of two hundred twenty-five thousand dollars (\$225,000)

#### To the Department of Forests and Waters

For the payment of the salary of the Secretary of Forests and Waters and for the payment of the salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department with respect to forests parks and waters and the Pymatuning Dam the Water and Power Resources Board the Geographic Board the State Forest Commission the Fort Washington Park State Parks Commission and Regional State Park Boards and Flood Prevention and maintenance of dykes along Darby Creek and the Delaware River in Tinicum Township Delaware County for emergency control and extinction of forest fires for the purchase of telephone equipment and the cost of telephone rentals at towers district offices ranger stations and other necessary locations for the erection and repairs of building for the development of natural resources on lands owned by the department for the payment of royalties on gas oil or other minerals the sum of three million dollars (\$3,000,000) Of this amount five thousand dollars (\$5000) or so much thereof

as may be necessary is hereby appropriated for necessary expenses in the care of two (2) cadets injured while in the course of training in the Pennsylvania Nautical School

For the payment of expenses incurred for the extinction and control of forest fires the sum of two hundred thousand dollars (\$200,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Washington Crossing Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred sixty-five thousand dollars (\$165,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Valley Forge Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing and photographing distributing or otherwise making available maps documents records historical information and reports issued by or in possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred eighty two thousand dollars (\$182,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Park and Harbor Commission of Erie for the repair and construction of roads dams parking spaces camp sites and buildings for the repair and construction of jetties and other necessary work to protect Presque Isle Peninsula from erosion for the purchase of materials supplies flags markets and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred thirty thousand dollars (\$130,000)

For the payment of annual fixed charges as provided by law for county school township and road purposes on lands owned or classified by either the Commonwealth of Pennsylvania or the Federal Government and held or administered as forest reserves auxiliary forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks the sum of two hundred thirty-eight thousand dollars (\$238,000)

For the payment of annual fixed charges on lands acquired for the purpose of conservation of water or the prevention of flood conditions as provided by law the sum of sixteen thousand dollars (\$16,000)

For the payment of the salaries or other compensation of a secretary and such other employes including among others captains pilots engineers harbor masters firemen deckhands watchman laborers and cooks as may be necessary for the proper conduct of the work of the Navigation Commission for the Delaware River and its navigable tributaries for the payment of the costs of repairs maintenance supplies fuel insurance oil and equipment of patrol boats and for the payment of the rent and care of the offices stationery telephone services books charts and general expenses of the commission the sum of ninety-four thousand dollars (\$94,000)

#### To the Department of Health

For the payment of the salary of the Secretary of

Health and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health board and other boards and for the operation of a health program to relieve children and adults suffering from cleft palate or harelip the sum of five million nine hundred fifty thousand dollars (\$5,950,000)

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting cancer research the study of facilities and the dissemination of information as to diagnosis and treatment of cancer the sum of two hundred fifty thousand dollars (\$250,000)

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting prevention care diagnosis and treatment of rheumatic fever and rheumatic heart disease the sum of two hundred forty thousand dollars (\$240,000)

For the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvement to land for the purchase of equipment furniture furnishings and live stock for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for incidental expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Tuberculosis Sanatoria the Bureau of Tuberculosis Control and Clinics and the State Hospital for Crippled Children including the incidental expenses necessary for the proper conduct of the orthopedic work of the department and for the purchase of braces jackets artificial limbs and crutches the sum of ten million six hundred fifty thousand dollars (\$10,650,000)

For the payment of salaries wages general expenses supplies printing and equipment required by the department in administering the "School Health Act" the sum of six million four hundred thousand dollars (\$6,400,000)

#### To the Insurance Department

For the payment of the salary of the Insurance Commissioner and for the payment of salaries wages or other compensation of a deputy commissioner and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for the payment of costs in court proceedings to forfeit charters of extinct companies and for the payment of the liquidation and dissolution expenses of companies taken in charge by the Insurance Commissioner when the cash assets are insufficient to pay such expenses the sum of one million two hundred thousand dollars (\$1,200,000)

And in addition all sums received from the assets of companies in liquidation by way of reimbursement for expenditures previously made from this appropriation shall be paid into the General Fund and credited to the appropriation made by this paragraph

#### To the Department of Internal Affairs

For the payment of the salary of the Secretary of Internal Affairs and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the Board of Property and the Topographic and Geologic Survey and for the payment of fees to the county commissioners of the several counties of the Commonwealth for data and statistics furnished relative to local taxes the sum of one million three hundred thirty-two thousand dollars (\$1,332,000)

#### To the Department of Justice

For the payment of the salary of the Attorney General and for the payment of salaries wages or other compensa-

tion of deputy attorneys general special deputy attorneys general assistant deputy attorneys general special attorneys law clerks and other employes for the payment of compensation of attorneys employed by the several departments boards and commissions with the approval of the Attorney General for handling litigation or making collections or appointed to represent the Commonwealth or any department board or commission thereof in special work or in particular cases for the payment of costs and witness fees for the purchase of law books for the law library of the department and for payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Board of Pardons and the Board of Commissioners on Uniform States Laws for the audit and investigation of claims and for the prosecution and defense of litigation to which the Commonwealth is a party or in which the Commonwealth is interested the sum of one million dollars (\$1,000,000)

#### To the Department of Labor and Industry

For the payment of the salary of the Secretary of Labor and Industry and for the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of three million six hundred sixty thousand dollars (\$3,660,000)

For the payment from time to time into the Administration Fund in order to provide funds for the payment of salaries wages or other compensation of employes engaged in the administration of the State-Federal Employment Service and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of this service the sum of four hundred sixty-six thousand six hundred dollars (\$466,600)

For use by the State Board of Vocational Rehabilitation in purchasing artificial appliances for and payment of the maintenance cost of physically handicapped persons in training including the deaf and hard of hearing and in paying all other expenses necessary in carrying out the provisions of the Rehabilitation Act the sum of one million eight hundred thousand dollars (\$1,800,000)

#### To the Department of Military Affairs

For the payment of the salary of the Adjutant General and for the payment of salaries wages or other compensation of the deputies adjutant general the Division Commander and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including Division Headquarters the United States Property and Disbursing Office State Arsenal State Military Reservation and advisory commissions connected with the department for the making of improvements additions or repairs to existing buildings roads and utilities on the State Military Reservation and State Arsenal for the payment of expenses incurred in maintaining monuments in Europe erected at the expense of the Commonwealth and for the acquisition by purchase or condemnation of additional lands to be used for or in connection with the Military Reservation at Indiantown Gap for the purpose of placing at the disposal of the Governor and making the same available for replacement or repairs of such military stores and supplies issued to the Commonwealth of Pennsylvania by the Federal Government as may be destroyed or damaged in whole or in part by fire flood storm or any other unavoidable cause for the payment of transportation pay of officers and enlisted men horse hire subsist-

ence quartermaster stores and other proper and necessary expenses incident to field service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurrection riot tumult or disorder or the prevention of the same and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States and for the equipment and maintenance of the Pennsylvania State Guard in the event of the Pennsylvania National Guard being called into active service of the United States and for the payment of mileage and lawful expenses of commissioners to take the vote of Pennsylvania soldiers in Federal or State service when in the field on active duty for the payment of claims against the Commonwealth of Pennsylvania for damages incurred by the operation or training of the Pennsylvania National Guard or the Pennsylvania State Guard as provided by law for the payment of all necessary expenses supplies printing and equipment including annual allowances for maintenance and armory rent individual pay officers annual allowances passenger and freight transportation telegrams telephone toll charges subscription to The Pennsylvania National Guardsman for distribution to officers and men of the Pennsylvania National Guard in either State or Federal service and the Pennsylvania State Guard the expense of operating and maintaining automobiles and other motor equipment the payment of mileage charges to the Department of Property and Supplies for the use of automobiles and other expenses necessary for the maintenance training government discipline and equipment of the Pennsylvania National Guard or the Pennsylvania State Guard for the payment of claims made by the War Department based upon approved reports of survey covering loss damage or destruction of Federal property for the payment of salaries of members and inspectors of the Armory Board of the State of Pennsylvania for the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Armory Board of the State of Pennsylvania for the maintenance and repair of armories and for the expenses of inspection of armories the sum of four million one hundred eighty-eight thousand five hundred fifty-six dollars (\$4,188,556)

Provided however That there is hereby appropriated for the same purposes the full amount of all rentals and all other moneys paid into the State Treasury in connection therewith of armories and receipts from public or private sources in payment of costs and material expenses by the Pennsylvania National Guard and the Pennsylvania State Guard in furnishing relief from disaster and all receipts from the Federal Government or other public or private sources for or in connection with services performed by employes of the Department of Military Affairs or for or in connection with the use of property under the control of said department which shall be collected as heretofore and paid into the General Fund and credited to the appropriation made by this paragraph The expenditure of such rentals of armories and other moneys received in connection therewith is hereby authorized for the purchase of furniture furnishings and recreational equipment which may at the discretion of the Armory Board of the State of Pennsylvania be considered essential for the benefit betterment and welfare of the Pennsylvania National Guard or the Pennsylvania State Guard

For the payment of salaries wages or other compensation of the superintendent and other employes for the payment of general expenses supplies printing and equipment for improvements to land for repairs alterations and

improvements to plant and equipment for the purchase of equipment furniture furnishings and live stock for expenses of the Board of Trustees and incidental expenses for burial expenses of maintenance and operation necessary for the proper conduct of the work of the Soldiers' and Sailors' Home at Erie as may be authorized and approved by the Adjutant General the sum of three hundred seventy nine thousand dollars (\$379,000) and in addition to said amount all moneys collected by the institution or by the Commonwealth from the Federal Government in payment of support or training of members of Federal military establishments at the institution shall be paid into the General Fund and shall be credited to the appropriation made by this paragraph

For the payment of any and all expenses incident to furnishing men material and equipment to relieve unemployment or drought conditions throughout the State or when a disaster occurs the sum of five hundred thousand dollars (\$500,000)

#### To The Department of Mines

For the payment of the salary of the Secretary of Mines and for the payment of salaries wages or other compensation of a deputy secretary the mine inspectors and other employes and for the payment of general expenses including examination costs supplies printing and equipment necessary for the proper conduct of the work of the department and the mine inspectors the sum of one million one hundred ninety four thousand dollars (\$1,194,000)

For the payment of all expenses of the department in administering and enforcing the "Bituminous Coal Open Pit Mining Conservation Act" of the 1945 Session of the General Assembly the sum of eighty thousand dollars (\$80,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the administration of the Act of May 29 1945 (P. L. 1132) relating to the health and safety of miners the sum of eighty seven thousand dollars (\$87,000)

#### To The Department of Property and Supplies

For the payment of the salary of the Secretary of Property and Supplies and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and Capital Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the advertising schedules of supplies the sale of unserviceable property proposals for executing the State printing and binding proposals for any contract work readvertising any schedule or proposal when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of three million seven hundred two thousand eighty-six dollars (\$3,702,086) Provided however That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employes necessary for the cleaning and care of offices or other quarters either in the Capitol Building or elsewhere used by the Department of Banking the Department of Highways and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds or offices or other quarters used by the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Pennsylvania Game Commission the Board of Fish Commissioners the Pennsylvania Liquor Control Board the Milk Control Commission or the State Workmen's Insurance Board

For the cost of printing and distributing records of the proceedings of the conventions of the Department of Pennsylvania of the Grand Army of the Republic the

United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the disabled American Veterans of the World War as provided by law the sum of thirty-one thousand dollars (\$31,000)

For the payment of compromised claims of architects or engineers on construction projects after such claims have been approved by the Attorney General the sum of forty-four thousand three hundred forty-nine dollars and ninety-four cents (\$44,349.94)

For the cost of printing and distributing the Capitol News clip sheet and the Pennsylvania State Manual the sum of ninety-five thousand dollars (\$95,000)

For the purchase of fuel water gas steam and electric current and necessary devices for its reception and use for alterations materials supplies repairs equipment renovations and improvements to for or on the State Capitol buildings the public grounds and buildings connected with the State Capitol the Publications Building the Executive Mansion the State Arsenal the Cameron Street Office Building the State Warehouse and any buildings lands or structures within the City of Harrisburg donated or devised to the Commonwealth but not including the Liquor Control Board Office Building in Harrisburg for the salaries of employees and other expenses of maintaining the Cameron Street Office Building and State Warehouse and for the payment of rents fuel water gas steam electric current and any necessary alterations for any buildings offices or storage space in the City of Harrisburg required for the accommodation of departments supported from the General Fund the sum of two million five hundred seventeen thousand one hundred twenty-four dollars (\$2,517,124) Of the amount appropriated by this paragraph the sum of one hundred twenty-five thousand dollars (\$125,000) shall be used for the renovation furnishings and necessary repairs to the Hall of the House of Representatives and auxiliary rooms in the capitol used for offices of House of Representatives Provided That occupancy of the Cameron Street Office Building or the State Warehouse by agencies or functions of Government supported by other than appropriations from the General Fund shall be charged for at rates approved by the Executive Board And that space in the State Warehouse not in use by the Commonwealth may be rented to the Public at such rates as the Department of Property and Supplies may determine All funds collected by the Department under this proviso shall be paid into the State Treasury and credited to the appropriation by this paragraph and shall be appropriated for the same purposes

For the purchase of automotive equipment aeroplanes and accessories thereto as may be required for use by the several administrative departments boards commissions and officers of the State Government except those required for permanent use by the Department of Banking the Department of Highways and the Department of Revenue and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Pennsylvania State Police the Board of Fish Commissioners the Pennsylvania Game Commission the State Farm Products Show Commission the Pennsylvania Liquor Control Board the Milk Control Commission and the State Workmen's Insurance Board for the payment of the cost of minor repairs to automotive equipment permanently assigned to departments boards and commissions except the Department of Highways and stored at the garage maintained by the Department of Property and Supplies in the City of Harrisburg and for the payment of the cost of oil gasoline tires repair parts for and repairs to automotive equipment which is not permanently assigned to any department board commission or other officer of the State Government the sum of one million one hundred fifty four thousand seven hundred ninety dollars (\$1,154,790)

For the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of legal books periodicals maps pamph-

lets for the purchase of all other materials supplies and equipment for the costs of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the General Assembly in accordance with law the sum of six hundred fifty thousand dollars (\$650,000)

For payment into the Purchasing Fund to be used as working capital the sum of three hundred ten thousand dollars (\$310,000)

#### To the Department of Public Assistance

For the payment of the salary of the Secretary of Public Assistance and for the payment of the salaries wages or other compensation of a deputy secretary and other employes for payment to the State Civil Service Commission for services rendered for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of one million one hundred thousand dollars (\$1,100,000)

#### To the Department of Public Instruction

For the payment of the salary of the Superintendent of Public Instruction and for the payment of salaries wages or other compensation of deputy superintendents and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the State Council of Education the sum of one million dollars (\$1,000,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment and for the purchase of book maps charts manuscripts records exchanges pamphlets illustrations lantern slides periodicals parliamentary papers legal books and periodicals subscriptions to newspapers necessary for the proper conduct of the work of the department with respect to the State Library the sum of three hundred thousand dollars (\$300,000)

For the payment of salaries wages or other compensation of a deputy members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to pre-professional professional education and licensure and the professional examining boards and advisory committees within the department the sum of eight hundred thousand dollars (\$800,000) Provided That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to pre-professional professional education and licensure the professional examining boards and advisory committees within the department

For the payment of salaries wages or other compensation of members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Board of Censors the sum of one hundred seventy-five thousand dollars (\$175,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Department in advising and coordinating the work of the Pennsylvania Federation of Junior Historians in the secondary schools of the Commonwealth the sum of sixteen thousand dollars (\$16,000)

For the payment of salaries wages and other compensation of members and other employes for the payment of general expenses supplies printing equipment and the purchase of tests for the proper conduct of the work in

the Department of Public Instruction with respect to the conduct of examinations for the determination evaluation and issuance of equivalent high school credits certificates or diplomas the sum of sixty-six thousand dollars (\$66,000)

For the payment of salaries wages and all other expenses of the department in conducting examinations of auditory acuity of pupils in public schools the sum of twenty thousand dollars (\$20,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the acquisition of Federal surplus property and the distribution of such property to schools and other agencies authorized to receive it the sum of one hundred fifty thousand dollars (\$150,000)

And be it provided that moneys collected from schools and agencies to whom such property shall have been distributed covering costs of acquisition and handling shall be paid into the General Fund and credited to this appropriation and available for the purposes for which this appropriation has been made

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department and the State Board for Vocational Education in licensing and regulating private schools private trade schools business schools and correspondence schools and classes the sum of two hundred thousand dollars (\$200,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing large-type books for partially sighted children in the public schools the sum of forty thousand dollars (\$40,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing farm and home safety education through the schools and farm and home organizations in the Commonwealth the sum of twenty-five thousand dollars (\$25,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in accrediting facilities for the training of veterans the sum of one hundred fifty thousand dollars (\$150,000) Provided That \$80,000 of the appropriation made by this paragraph shall be used by the department as working capital only and shall lapse at the end of the biennium in the full amount In addition all moneys collected from the Federal Government shall be credited to the appropriation made by this paragraph

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the Public School Employees Retirement Board the sum of four hundred sixty thousand dollars (\$460,000)

For the payment of salaries wages or other compensation of the presidents or principals and other employees for the expenses of maintaining and operating automobiles and other equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Teachers Colleges and the Cheyney Training School for Teachers as may be authorized and approved by the Superintendent of Public Instruction the sum of eight million six hundred thousand dollars (\$8,600,000) and in addition to said amount all income and all moneys collected at the various State Teachers Colleges and the Cheyney Training School and paid into the General Fund of the State Treasury under existing laws are hereby appropriated out of the General Fund to the several State Teachers Colleges and Training Schools for the same purpose each college and school to receive from

such appropriation the exact amount which was collected at said school or college during the said fiscal years Of the eight million six hundred thousand dollars (\$8,600,000) appropriated by this paragraph at least two million dollars (\$2,000,000) shall be extended for necessary rehabilitation and repairs

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Department with respect to the Pennsylvania Area College Center Act the sum of one hundred thousand dollars (\$100,000) and in addition to the appropriation made by this paragraph all moneys collected by the Area Colleges shall be credited to the appropriation made by this paragraph and are appropriated to the department for expenses incurred in the operation of the Area College Centers as provided by the Pennsylvania Area College Center Act of May 2 1947

For the payment of salaries wages or other compensation of superintendents and other employees for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the Superintendent of Public Instruction in the amounts hereinafter specified

Pennsylvania State Oral School for the Deaf	at Scranton Pennsylvania .....	(\$280,000)
Pennsylvania Soldiers' Orphan School at Scotland Pennsylvania .....		(\$730,000)
Thaddeus Stevens Trade School at Lancaster Pennsylvania .....		(\$400,000)

and in addition to said amount all income and all moneys collected at the Thaddeus Stevens Trade School shall be paid into the General Fund and shall be credited to the appropriation to the Thaddeus Stevens Trade School made by this paragraph

For the payment of salaries of the County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of one million seven hundred sixty-nine thousand dollars (\$1,769,000)

For the payment of expenses of County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of two hundred sixty-five thousand dollars (\$265,000)

For the payment of expenses of members of county boards of school directors and the fees of their attorneys the sum of fifty-two thousand eight hundred dollars (\$52,800)

For reimbursement to school districts for transportation of school children as required by law the sum of sixteen million one hundred thousand dollars (\$16,100,000)

For aid to school districts that now maintain or shall cause to be established and maintained as part of the public school system vocational schools or departments schools for agricultural education industrial training home economics distributive occupations public service occupations and other vocational and practical education for the salaries wages and expenses of employees for general expenses of vocational divisions and the payment to the Department of Property and Supplies of mileage for the use of automobiles by traveling vocational education supervisors and for the cost of training vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe as provided by law the sum of two million five hundred thousand dollars (\$2,500,000) And be it provided that in time of serious unemployment not exceeding four hundred thousand dollars (\$400,000) of this appropriation may be expended with the Governor's approval in paying the full cost of

mass vocational training of qualified public assistance recipients or other unemployed to take definite employment which may be contingent upon such training

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in carrying out the School Lunch Program the sum of one hundred thousand dollars (\$100,000)

For the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the Superintendent of Schools of Warren County to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of four hundred twenty-eight thousand dollars (\$428,000)

For reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for nonresident high school tuition and any other nonresident tuition as required by law and for the minimum salaries of teachers and supervisors of home bound children and extension class pupils the sum of two hundred three million dollars (\$203,000,000) Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open

For special education including the payment of the Commonwealth's share in the case of children between the ages of six (6) and twenty-one (21) and the payment of all in the case of pupils under the age of six (6) or over twenty-one (21) of the cost of tuition and maintenance (as determined by the Superintendent of Public Instruction) of Pennsylvania pupils enrolled with the approval of the Department of Public Instruction in schools or institutions for the blind or for the deaf or cerebral palsied under the supervision of or approved by the department in accordance with law and for readers helpers guides aids and appliances for blind in public schools also for cost of tuition and maintenance of mothers and their blind babies in schools approved by the Department of Public Instruction the sum of two million seven hundred twenty-seven thousand five hundred dollars (\$2,727,500)

For the payment into the School Employees' Retirement Fund to the credit of the Contingent Reserve Account of the School Employee's Retirement Fund as required by law the sum of seven million six hundred thirty-eight thousand eight hundred eighty-four dollars (\$7,638,884)

For the payment into the School Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employees' Retirement Fund as required by law the sum of fifteen million eight hundred sixty-one thousand one hundred sixteen dollars (\$15,861,116)

For the payment of compensation to former teachers principals supervising principals or superintendents who agree in writing to hold themselves ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teachers when able to examine and report on public school work to visit pupils' homes in the interest of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interest as provided by law the sum of three hundred forty thousand dollars (\$340,000)

For the payment of increased retirement allowances to employes on retirement as of September 1 1949 the sum of two million eight hundred thousand dollars (\$2,800,000)

#### To the Pennsylvania Public Utility Commission

For the payment of the salary of the chairman and members of the commission and for the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission the sum of three million four hundred sixty-six thousand dollars (\$3,466,000)

For the payment of such proportion of the cost of installing warning signals for the protection of the public where tracks of railroad corporations or street railways corporations cross public highways other than those State highways designated as primary routes as shall be determined by the commission to be paid by the Commonwealth the sum of twenty-five thousand dollars (\$25,000)

#### To the Department of Revenue

For the payment of the salary of the Secretary of Revenue and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses rentals equipment and other expenses incidental to the collection of inheritance and estate taxes and mercantile license taxes supplies printing and equipment necessary for the proper conduct of the work of the department for the payment of the compensation of informants in escheats and the fees and expenses of escheators for the payment of costs in suits for the payment of cost of filing liens for the purchase of tax stamps and for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of four million eight hundred seventy thousand dollars (\$4,870,000) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purpose

For the payment of salaries of the members of the State Athletic Commission for the payment of salaries wages or other compensation of a secretary and deputies and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Athletic Commission as approved by the Secretary of Revenue the sum of one hundred fifty thousand dollars (\$150,000)

For the payment of salaries wages or other compensation of such special deputy attorneys general special attorneys appointed by the Attorney General experts scientists examiners statisticians clerks stenographers and other assistants and employes and for costs witness fees postage express charges telegraph and telephone charges and all other expenses whatsoever as may be necessary for the proper conduct of investigations and litigation in the Estate of Henrietta E Garrett Deceased the sum of thirty thousand dollars (\$30,000)

#### To the Department of State

For the payment of the salary of the Secretary of the Commonwealth and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of four hundred thirty-five thousand dollars (\$435,000)

For the payment of the cost of publishing in various newspapers throughout the State the several proposed amendments to the Constitution of the Commonwealth of Pennsylvania the sum of thirty thousand dollars (\$30,000)

For the payment of salaries wages or other compensation of a secretary and other employes and for the pay-

ment of general expenses necessary for the proper conduct of the work of the State Employees' Retirement Board the sum of two hundred twenty-five thousand dollars (\$225,000) and in addition to the said amount any moneys collected from a public corporation or similar agency in payment of the proportionate share of administering the State Employees' Retirement Fund on behalf of the employees of such public corporation or similar agency whose employees are entitled by law to be members of the State Employees' Retirement System shall be paid into the General Fund and credited to this appropriation

For the payment of the cost and expenses incident to the work of setting up the Municipal Employees' Retirement System the sum of twenty thousand dollars (\$20,000)

For the payment into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of one million three hundred eighty thousand nine hundred forty-six dollars (\$1,380,946)

For the payment into the State Employees' Retirement Fund to the credit of the Contingent Reserve Account the sum of two million two hundred seventy-six thousand two hundred three dollars (\$2,276,203)

For the payment into the State Employees' Retirement Fund to cover the additional liability for reserve required by reason of the creation of the Pennsylvania State Police Retirement System the sum of fifty thousand dollars (\$50,000)

For the payment into the State Employees' Retirement Fund to the credit of the Members' Annuity Reserve account and other accounts the sum of nine hundred twenty-nine thousand twenty-nine dollars (\$939,029)

For the payment of State employees who have retired in accordance with the provisions of the act of Assembly approved June fourteen one thousand nine hundred fifteen (P. L. 973) as amended and for the payment of pensions and gratuities granted by law the sum of six thousand four hundred thirty dollars (\$6,430)

#### To the Pennsylvania State Police

For the payment of the salaries wages or other compensation and necessary traveling expenses of the Commissioner and deputy commissioner of the Pennsylvania State Police the members of the State Police force and the other employees of the Pennsylvania State Police for the purchase of motor equipment for the payment of general expenses necessary for the proper conduct of the work of the Pennsylvania State Police for the payment of the board and lodging subsistence allowances uniforms arms and equipment of the Pennsylvania State Police force and for the payment of the proper medical surgical and hospital expenses incurred as a direct result of illness contracted or injuries received by members of the Pennsylvania State Police in the course of employment and not covered by insurance for the payment of premiums on policies insuring the Commonwealth against workmen's compensation liability to all employees or dependents of employees of the Pennsylvania State Police for the payment of premiums on policies of insurance covering motor vehicles operated by the Pennsylvania State Police and surety bonds for employees of the Pennsylvania State Police required to furnish such bonds for the payment with the Attorney General's approval of damages sustained by persons whose property has been damaged or destroyed by members of the Pennsylvania State Police in the discharge of their duties for the operation and maintenance of the Pennsylvania State Police Training School including any branches thereof for the payment of traveling expenses and witness fees in the amount of three dollars (\$3) per capita per diem to witnesses testifying for the Commonwealth at hearings in connection with the work of the Pennsylvania State Police and for the payment of fees charged by physicians for examining persons suspected of operating motor vehicles while intoxicated whenever such persons are found as a result of such examination not to be intoxicated except that no sum in excess of five dollars (\$5) shall be paid to any physician for any such examination for the maintenance and operating of a radio broadcasting station or stations and

for the purpose of installing operating and maintaining a teletype or other inter-communication system linking the central office of the Pennsylvania State Police and the offices of the various organized police forces of the political subdivisions of the Commonwealth maintaining night offices and linking such central office with other states using similar systems which cooperate with Pennsylvania in broadcasting police information the sum of five million eight hundred thousand dollars (\$5,800,000) and any additional sums from time to time transferred from the Motor License Fund and credited to this appropriation in the manner provided by law

#### To the Department of Welfare

For the payment of the salary of the Secretary of Welfare and for the payment of salaries wages or other compensation of deputy secretaries and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of nine hundred thirty-three thousand dollars (\$933,000)

For the payment of salaries wages or other compensation of employees and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind for improvement of the condition of the blind by supplying where not otherwise available home instruction and training for the adult blind in the reading and writing of embossed types in those handicrafts in which the blind can engaged for remunerative or therapeutic value or for improving their personal civic and social well-being and in such other fields of endeavor as may be considered appropriate and beneficial and for medical treatment surgical operations eye glasses and other necessary aids or services including transportation for needy blind persons or persons with impaired vision and for meeting any additional expenses necessary the sum of four hundred twenty-five thousand dollars (\$425,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind in supplying to the adult blind vocational training in such fields as are commensurate with their capacities and which will lead to remunerative employment with seeing workers in providing for their employment and placement in industry business and the professions in obtaining the required medical service for such training and placement and in meeting expenses necessary and proper in the administration of this program the sum of one hundred fifty thousand dollars (\$150,000) and in addition to this amount moneys received from the United States Government or from any other source as contributions for this program shall be paid into the General Fund and credited to this appropriation

For payment into the Employment Fund for the Blind created by Act 356 of June 3 1943 to increase the working capital of the fund the sum of thirty thousand dollars (\$30,000)

For the payment of salaries wages or other compensation of the superintendents or wardens and other employees for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to and for the purchase of equipment furniture furnishings and live stock for expenses of boards of trustees and incidental expenses for the payment of gratuities clothing parole expenses for the payment to fire companies of costs of fighting fires upon approval of the institution and the department and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Institution for Defective Delinquents at Huntingdon the Pennsylvania Training School at Morgantown the State Industrial Home for Women at Muncy the Pennsylvania Industrial School at White Hill the Eastern State Penitentiary at Philadelphia and Graterford the Western State Penitentiary at Pittsburgh the State Penitentiary at

Rockview and any other institution hereafter established for the custody of prisoners as may be authorized and approved by the Secretary of Welfare the sum of fourteen million seven hundred seventy-three thousand dollars (\$14,773,000) and all moneys realized from the sale of surplus products of the soil meats live stock timber and other similar materials or of unneeded purchased products publicly or to another Department Board or Commission shall be paid into the General Fund

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to lands for the purchase of equipment furniture furnishings and live stock for the payment of fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown the Danville State Hospital at Danville the Farview State Hospital at Farview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Philadelphia State Hospital at Philadelphia the Wernersville State Hospital at Wernersville the Western State Psychiatric Hospital at Pittsburgh the Eastern State Psychiatric Hospital at Philadelphia the Embreeville State Hospital at Embreeville the Hollidaysburg State Hospital at Hollidaysburg the Mayview State Hospital at Mayview the Somerset State Hospital at Somerset the Woodville State Hospital at Woodville the Clarks Summit State Hospital at Clarks Summit the Retreat State Hospital at Retreat the Dixmont State Hospital at Dixmont and any other institution established for the care and treatment of the insane as may be authorized and approved by the Secretary of Welfare for the payment of all expenses of the department in deporting to their states of residence persons committed to State mental institutions who may hold residence in other states for the purchase from publicly or privately operated nonsectarian hospitals at cost not exceeding five dollars and fifty cents (\$5.50) per day of psychiatric treatment and maintenance of mentally ill persons admitted to such hospitals who are entitled to free service for such periods per person as the Department of Welfare may approve and for assisting such hospitals to establish facilities for the care and treatment of the mentally ill such assistance to be limited to one thousand five hundred dollars (\$1500) per bed provided for the payment of the necessary expenses of boarding out mental patients in accordance with Act 257 approved July 12 1935 (P. L. 679) and for the establishment and maintenance of psychiatric clinics under the regulations of the department the sum of fifty-seven million seventy-seven thousand dollars (\$57,077,000) and all moneys realized from the sale of surplus products of the soil meats live stock timber and other similar materials or of unneeded purchased products publicly or to another Department board or Commission shall be paid into the General Fund

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to lands for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton the Pennhurst State School at Pennhurst the Polk State School at Polk the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of eleven million two hundred forty thousand dollars (\$11,240,000) and all moneys realized from the sale of surplus products of

the soil meats live stock timber and other similar materials or of unneeded purchased products publicly or to another Department Board or Commission shall be paid into the General Fund

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsburg State Hospital at Connellsburg the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of eight million seven hundred eighty thousand dollars (\$8,780,000) and all moneys realized from the sale of unneeded purchased products publicly or to another Department Board or Commission shall be paid into the General Fund

#### To the Milk Control Commission

For the payment into the Milk Control Fund in the State Treasury for the purpose for which such fund is appropriated by law the sum of four hundred fifty thousand dollars (\$450,000)

#### To the State Civil Service Commission

For the payment of salaries wages or other compensation of the commissioners a personnel director and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Commission the sum of one hundred thousand dollars (\$100,000) and in addition any money collected by the Commission by way of reimbursement under the provisions of the Civil Service Act shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation. Provided That the specific appropriation of \$100,000 made by this paragraph shall be used by the Commission as working capital only and shall lapse at the end of the biennium in the full amount

#### To the Pennsylvania Board of Parole

For the payment of salaries of members of the Board and salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Board the sum of one million four hundred seventy-two thousand dollars (\$1,472,000)

#### To the Commission on Interstate Cooperation

For the payment of wages and other compensation of employes for the payment of expenses of members in attending conferences when designated by the Governor The President pro tempore of the Senate or the Speaker of the House of Representatives and for the payment of the general expenses necessary for the proper conduct of the work of the Commission on Interstate Cooperation the sum of five thousand dollars (\$5000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same. The chairman shall file an accounting of said expenses with the Auditor General

#### To the Interstate Commission on the Delaware River Basin

For the payment of wages and other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the Interstate Commission on the Delaware River Basin created by the Commission on Interstate Cooperation the sum of

fifty thousand dollars (\$50,000) to be paid on warrents of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same. The chairman of said commission shall file an accounting of said expenses with the Auditor General.

#### Atlantic States Marine Fisheries Commission

For support of the Atlantic States Marine Fisheries Commission created by the act of June 1 1943 (P L 798) the sum of one thousand two hundred dollars (\$1200) Requisitions shall be prepared and signed by the Commissioner of Fisheries

#### Ohio River Valley Water Sanitation Commission

For support of the Ohio River Valley Water Sanitation Commission created by the act of April 2 1945 (P L 50) the sum of thirty-four thousand eight hundred seventy dollars (\$34,870) Requisitions shall be prepared and signed by the Secretary of Commerce

#### Interstate Oil Compact Commission

For the support of the Interstate Oil Compact Commission created by the act of July 23 1941 (P L 432) and for the payment of expenses of the Governor or his delegate in representing Pennsylvania the sum of three thousand dollars (\$3000) Requisitions shall be signed by the Governor

#### Interstate Commission on the Potomac River Basin

For the support of the Interstate Commission on the Potomac River Basin created by the act of May 29 1945 (P L 1139) the sum of four thousand eight hundred dollars (\$4800) Requisitions shall be prepared and signed by the Secretary of Commerce

#### To the Council of State Governments

For the support of the Council of State Governments and the Interstate Legislative Reference Bureau established by it to co-ordinate the work of the various State Legislative Reference Bureaus and other official agencies dealing with legislative matter the sum of sixty thousand dollars (\$60,000) One-half of said appropriation shall be paid during each fiscal year of the biennium in equal quarterly installments on requisition drawn by the Auditor General Warrants for such payments shall be drawn to the order of the Executive Director of the Council of State Governments who shall file an accounting of said expenses with the Auditor General

#### Pennsylvania Historical and Museum Commission

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Pennsylvania Historical and Museum Commission including historical research preparation erection and maintenance of historical markers maintenance and development of historical monuments and sites the sum of six hundred twenty thousand dollars (\$620,000)

#### II Legislative Department

For the payment of the expenses of the Legislative Department for two years beginning June first one thousand nine hundred forty-nine and also for the expenses of the session and recess of one thousand nine hundred forty-nine not previously provided for the following sums or as much thereof as may be necessary to be paid in the manner prescribed by law Provided That the salaries stationery and mileage of the members of the Senate and House of Representatives of the legislative session of one thousand nine hundred and fifty-one shall be paid by requisition of the chief clerk of the Senate or the chief clerk of the House of Representatives upon the auditor general only after statement of the amounts due the several senators and members shall have been certified to the respective chief clerks by the president pro tempore of the Senate or speaker of the House of Representatives and that the senators and members receiving fixed salaries for said session shall be paid one-fifth of his total salary each month for the

first four months of the session if the legislature shall be in session that long and the balance on the day fixed for the final adjournment of the legislature or during the two days previous thereto

All compensation payable to officers and employes under the provisions of this act shall be payable semi-monthly on the fifteenth day and the last day of each month on requisition of the chief clerk of the Senate or of the House of Representatives as the case may be pursuant to certification of the officer under whose direction and control the officer or employe shall be

#### To The Senate

For the payment of the salaries of fifty senators and extra compensation allowed by law to the President pro tempore of the Senate session of one thousand nine hundred and fifty-one the sum of one hundred fifty-one thousand dollars (\$151,000)

For the payment of the expenses of senators and extra compensation and expenses of chairmen of committees as provided by law the sum of one hundred twenty thousand dollars (\$120,000)

For the payment of the mileage of fifty senators session of one thousand nine hundred and fifty-one the sum of eighteen thousand dollars (\$18,000)

For the payment of postage session of one thousand nine hundred and fifty-one for the chief clerk and assistants the sum of one hundred fifty dollars (\$150)

For the payment of postage session one thousand nine hundred and fifty-one for the Lieutenant Governor the sum of one hundred fifty dollars (\$150)

To the chief clerk of the Senate for the payment of the postage on the Legislative Journal bills and calendars session of one thousand nine hundred and fifty-one the sum of four thousand five hundred dollars (\$4500)

For the payment of the salaries of the officers and employes of the Senate session of one thousand nine hundred and fifty-one also for the payment of the session and recess salaries of all officers and employes whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of any increases which may now or hereafter be authorized in the recess and session salaries of the officers and employes of the Senate whose present salaries are provided for in this section the sum of one hundred eighty thousand dollars (\$180,000) for the two years beginning June first one thousand nine hundred and forty-nine

For the payment of the mileage of the officers and employes of the Senate session of one thousand nine hundred and fifty-one the sum of two thousand seven hundred dollars (\$2700)

For the payment of the salaries of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and fifty-one the sum of eight thousand dollars (\$8000)

For the payment of the mileage of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and fifty-one the sum of two thousand dollars (\$2000)

For the payment of the salary of the clerk to the President of the Senate for two years beginning June first one thousand nine hundred forty-nine the sum of five thousand two hundred eighty dollars (\$5280)

For the payment of the salary of the Secretary of the Senate for the two years beginning June first one thousand nine hundred and forty-nine the sum of eighteen thousand dollars (\$18,000)

For the payment of the salary of the chief clerk of the Senate for the two years beginning June first one thousand nine hundred and forty-nine the sum of fifteen thousand dollars (\$15,000)

For the payment of the salary of the Secretary to the President pro tempore of the Senate for the two years beginning June first one thousand nine hundred and forty-nine the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the librarian of the Senate for the two years beginning June first one thousand nine hundred and forty-nine the sum of twelve thousand dollars (\$12,000)

For the payment of the salary of the assistant to the secretary of the Senate for the time employed during the recess periods in the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of four thousand seven hundred twenty-five dollars (\$4725)

For the payment of the salary of the stenographer to the President of the Senate for the two years beginning June first one thousand nine hundred forty-nine the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the library clerk of the Senate for the two years beginning June first one thousand nine hundred and forty-nine the sum of six thousand dollars (\$6000)

For the payment of the salary of the secretary to the majority floor leader of the Senate for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the secretary to the minority floor leader of the Senate for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the secretary to the Senate Librarian for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of five thousand dollars (\$5000)

For the payment of the salaries of two watchmen of the Senate for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of eight thousand eight hundred dollars (\$8800)

For the payment of the salary of the superintendent of the storeroom of the Senate for two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of six thousand six hundred dollars (\$6600)

For the payment of the salary of the chief custodian of the Senate for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of five thousand nine hundred forty dollars (\$5940)

For the payment of the salary of the custodian of the basement of the Senate for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of three thousand nine hundred sixty dollars (\$3960)

For the payment of the salaries of one custodian of the Senate Chamber and assistant custodians of the Senate Chamber for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of twelve thousand three hundred twenty dollars (\$12,320)

For the payment of the salary of the messenger in the Senate Library for the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of three thousand six hundred dollars (\$3600)

For the payment of the salary of a janitor for the Senate for the two years beginning June first one thousand nine hundred forty-nine the sum of three thousand six hundred dollars (\$3600)

For the payment of the salary of one Senate indexing clerk for the two years beginning June first one thousand nine hundred forty-nine the sum of four thousand eight hundred dollars (\$4800)

For the payment of the salary of one chief compiling clerk for the two years beginning June first one thousand nine hundred forty-nine the sum of seven thousand two hundred dollars (\$7200)

For the payment of the salary of one messenger to the Secretary of the Senate for the two years beginning

June first one thousand nine hundred forty-nine the sum of three thousand six hundred dollars (\$3600)

To the Secretary of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate session of one thousand nine hundred and forty-nine the sum of two thousand five hundred dollars (\$2500)

For the payment of the expenses of the Committee on Appropriations of the Senate during the biennium June first one thousand nine hundred and forty-nine and ending May thirty-first one thousand nine hundred and fifty-one in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the Senate during legislative sessions and during the interim between legislative sessions the sum of twenty-five thousand dollars (\$25,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same Of the sum herein appropriated not more than seventeen thousand five hundred dollars (\$17,500) shall be expended prior to the beginning of the regular session of the General Assembly of one thousand nine hundred and fifty-one If the term of office of the chairman of the Committee on Appropriations shall terminate prior to the regular session of 1951 he shall not later than thirty days after such termination and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the payment of expenses incident to issuing certificate of election of senators for the session of one thousand nine hundred and fifty-one the sum of seventy-five dollars (\$75) (Act of June fourteenth one thousand nine hundred and eleven P L 926)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the President pro tempore of the Senate during the recess ending the first Tuesday of January one thousand nine hundred and fifty-one the sum of five thousand dollars (\$5000) or as much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and fifty-one the sum of five thousand dollars (\$5000)

For the payment of the necessary expenses including extra labor in the office of the chief clerk for the year ending May thirty-first one thousand nine hundred and fifty the sum of seven thousand dollars (\$7000) and for six months ending November thirtieth one thousand nine hundred and fifty the sum of four thousand dollars (\$4000)

For the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred and fifty and the entire period of the session of one thousand nine hundred fifty-one should the same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said chief clerk shall at no time have in his hands more than two thousand dollars (\$2000) for which accounts have not been rendered and settled and the whole amount expended by said chief clerk shall not exceed the sum of eleven thousand dollars (\$11,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and chief clerk

For the payment of the postage labor and incidental expenses in the office of the secretary of the Senate for the year beginning June first one thousand nine hun-

dred and forty-nine the sum of five thousand dollars (\$5000) and for the year beginning June first one thousand nine hundred and fifty the sum of five thousand dollars (\$5000)

For the payment of postage labor express charges and all other expenses in the office of the librarian of the Senate for the year beginning June first one thousand nine hundred and forty-nine the sum of two thousand eight hundred dollars (\$2800) and for the year beginning June first one thousand nine hundred fifty the sum of two thousand eight hundred dollars (\$2800)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Majority floor leader of the Senate during the recess ending December first one thousand nine hundred and fifty the sum of five thousand dollars (\$5000) and for like expenses for the session of one thousand nine hundred and fifty-one the sum of four thousand dollars (\$4000)

For the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic traveling and discretionary charges of the majority whip during the recess ending December first one thousand nine hundred fifty the sum of one thousand dollars (\$1000) and for like expenses for the legislative session of one thousand nine hundred fifty-one the sum of one thousand dollars (\$1000)

For the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic traveling and discretionary charges of the minority whip during the recess ending December first one thousand nine hundred fifty the sum of seven hundred fifty dollars (\$750) and for like expenses for the legislative session of one thousand nine hundred fifty-one the sum of one thousand dollars (\$1000)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority floor leader of the Senate during the recess ending December first one thousand nine hundred and fifty the sum of two thousand dollars (\$2000) and for like expenses for the session of one thousand nine hundred and fifty-one the sum of one thousand five hundred dollars (\$1500)

To the Secretary of the Senate for the payment of the expenses of the Senate or committees of the Senate in attending funerals or expenses incident thereto of senators officers of the Senate or State officials during the two years beginning June first one thousand nine hundred and forty-nine the sum of one thousand dollars (\$1000)

#### To the House of Representatives

For the payment of the salaries of two hundred and eight members of the House of Representatives and extra compensation allowed by law to the Speaker of the House of Representatives session one thousand nine hundred and fifty-one the sum of six hundred twenty-five thousand dollars (\$625,000)

For the payment of expenses of members of the House of Representatives and extra compensation and expenses of chairmen of committees as provided by law the sum of five hundred thousand dollars (\$500,000)

For the payment of the mileage of two hundred and eight members of the House of Representatives session of one thousand nine hundred and fifty-one the sum of eighty-five thousand dollars (\$85,000)

For the payment of postage session of one thousand nine hundred and fifty-one to the chief clerk and assistants the sum of one hundred fifty dollars (\$150)

To the chief clerk of the House of Representatives for the payment of postage on the Legislative Journal bills and calendars session of one thousand nine hundred and fifty-one the sum of eleven thousand dollars (\$11,000)

For the payment of salaries of the officers and employes of the House of Representatives session of one thousand nine hundred and fifty-one also for the payment of the session and recess salaries of all officers and employes whose positions are now or may be hereafter created and

for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and session salaries of all the officers and employes of the House of Representatives whose present salaries are provided for in this section the sum of two hundred two thousand dollars (\$202,000) for the two years beginning June first one thousand nine hundred and forty-nine

For the payment of the mileage of the officers and employes of the House of Representatives session of one thousand nine hundred and fifty-one the sum of four thousand dollars (\$4000)

For the payment of the salaries of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and fifty-one the sum of thirteen thousand dollars (\$13,000)

For the payment of the mileage of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and fifty-one the sum of three thousand dollars (\$3000)

For the payment of the salary of the chief clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of fifteen thousand dollars (\$15,000)

For the payment of the salary of the secretary of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of thirteen thousand dollars (\$13,000)

For the payment of the salary of the assistant to the chief clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of eight thousand four hundred dollars (\$8400)

For the payment of the salary of the stenographer to the chief clerk for the two years beginning June first one thousand nine hundred and forty-nine the sum of four thousand eight hundred dollars (\$4800)

For the payment of the salary of the secretary to the Secretary of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the messenger to the Chief Clerk for the two years beginning June first one thousand nine hundred and forty-nine the sum of three thousand six hundred dollars (\$3600)

For the payment of the salary of the secretary to the majority floor leader of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the secretary to the minority floor leader of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the Administrative Assistant to the Speaker for the two years beginning June first one thousand nine hundred and forty-nine the sum of six thousand dollars (\$6000)

For the payment of the salary of the clerk to the Speaker for the two years beginning June first one thousand nine hundred and forty-nine the sum of four thousand eight hundred dollars (\$4800)

For the payment of the salary of the superintendent of storerooms of the House of Representatives for the time employed during the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of six thousand six hundred dollars (\$6600)

For the payment of salaries of one day watchman and one night watchman of the House of Representatives for the time employed during the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of eight thousand eight hundred dollars (\$8800)

For the payment of the salary of the secretary to the Chief Clerk for the two years beginning June first one

thousand nine hundred and forty-nine as provided by law the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the chief custodian of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of four thousand four hundred dollars (\$4400)

For the payment of the salaries of the four custodians of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of sixteen thousand dollars (\$16,000)

For the payment of the salary of the messenger to the Secretary for the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of three thousand six hundred dollars (\$3600)

For the payment of the salary of the secretary to the Speaker of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the parliamentarian of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of ten thousand dollars (\$10,000)

For the payment of the salary of the amendment clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of six thousand six hundred dollars (\$6600)

For the payment of the salary of the supply clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of three thousand nine hundred sixty dollars (\$3960)

For the payment of the salary of the compiling clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of eight thousand dollars (\$8000)

For the payment of the salary of the finance clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of seven thousand two hundred dollars (\$7200)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Speaker of the House of Representatives during the recess ending December first one thousand nine hundred and fifty the sum of five thousand dollars (\$5000) or as much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and fifty-one the sum of five thousand dollars (\$5000)

For the payment of necessary expenses including extra labor in the office of the chief clerk and library for the year beginning June first one thousand nine hundred and forty-nine the sum of nineteen thousand dollars (\$19,000) and for the six months beginning June first one thousand nine hundred and fifty the sum of nine thousand one hundred dollars (\$9100)

For the payment of the incidental expenses of the House of Representatives for the six months commencing December first one thousand nine hundred and fifty and for the entire period of the session of one thousand nine hundred and fifty-one should the same extend beyond May thirty-first to be expended by the chief clerk who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts. The whole amount thus expended by the chief clerk shall not exceed the sum of twenty-two thousand five hundred dollars (\$22,500)

To the chief clerk of the House of Representatives for the payment of extra services in connection with the compilation of the history of legislation in the House of Representatives session of one thousand nine hundred and forty-nine the sum of two thousand five hundred dollars (\$2500)

For the payment of the expenses of the Committee on Appropriations of the House of Representatives during the biennium beginning June first one thousand nine hundred and forty-nine in investigating schools colleges universities penal institutions mental hospitals medical

and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing reports of said institutions and agencies in examining and analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the House of Representatives during legislative sessions and during the interim between legislative sessions the sum of twenty-five thousand dollars (\$25,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same of the sum herein appropriated not more than seventeen thousand five hundred dollars (\$17,500) shall be expended prior to the beginning of the regular session of the General Assembly of nineteen hundred and fifty-one. The chairman of the Committee on Appropriations shall not later than thirty days after the termination of his term of office and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the payment of the postage clerical stenographic and express charges and all other expenses in the office of the secretary of the House of Representatives for the year beginning June first one thousand nine hundred and forty-nine the sum of four thousand five hundred dollars (\$4500) and for the year beginning June first one thousand nine hundred and fifty the sum of four thousand five hundred dollars (\$4500)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Majority floor leader of the House of Representatives during the recess ending December first one thousand nine hundred and fifty the sum of five thousand dollars (\$5000) and for like expenses for the session of one thousand nine hundred and fifty-one the sum of four thousand dollars (\$4000)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority floor leader of the House of Representatives during the recess ending December first one thousand nine hundred and fifty the sum of two thousand five hundred dollars (\$2500) and for like expenses for the session of one thousand nine hundred and fifty-one the sum of one thousand five hundred dollars (\$1500)

For the payment of contingent expenses including extra services of employees of the House of Representatives and clerical stenographic traveling and discretionary charges of the Majority whip during the recess ending December first one thousand nine hundred fifty the sum of one thousand dollars (\$1000) and for like expenses for the legislative session of one thousand nine hundred fifty-one the sum of one thousand dollars (\$1000)

For the payment of contingent expenses including extra services of employees of the House of Representatives and clerical stenographic traveling and discretionary charges of the Minority whip during the recess ending December first one thousand nine hundred fifty the sum of seven hundred fifty dollars (\$750) and for like expenses for the legislative session of one thousand nine hundred fifty-one the sum of one thousand dollars (\$1000)

For the payment of the expenses incident to issuing certificates of election to members of the House of Representatives for the session of one thousand nine hundred and fifty-one (Act of June fourteenth one thousand nine hundred and eleven P. L. 926) the sum of seven hundred fifty dollars (\$750) to be paid by the State Treasurer on warrants of the Auditor General upon presentation of vouchers approved by the Speaker of the House of Representatives

To the chief clerk of the House of Representatives for the payment of the expenses of the House of Representatives or committee of the House of Representatives in attending funerals or expenses incident thereto of members

of the House of Representatives officers of the House of Representatives or State officials during the two years beginning June first one thousand nine hundred and forty-nine the sum of three thousand dollars (\$3000)

#### Legislative Journals

The expenses for paper and printing of the Legislative Journals shall be paid out of the appropriation for paper and printing made to the Department of Property and Supplies contained in this act

For the work of the Legislative Journal officials after the close of the session of one thousand nine hundred and forty-nine on the Legislative Journal also the proof-reading of the appendix and index thereto as provided by law the sum of four thousand five hundred dollars (\$4500)

#### Legislative Miscellaneous

For the payment of traveling and other expenses of the members of the General Assembly of Pennsylvania appointed by the President pro tempore of the Senate and the Speaker of the House of Representatives in attending the meetings of the American Legislators Association and the Council of State Governments the sum of two thousand five hundred dollars (\$2500) to be paid on warrants of the Auditor General in favor of the President pro tempore of the Senate or the Speaker of the House of Representatives on presentation of his requisition for the same The President pro tempore or the Speaker shall file an accounting of said expenses with the Auditor General

For the payment of premiums on surety bonds for chairman and officers of the Senate and House of Representatives to be paid by Chief Clerks of each House for the two years beginning June first one thousand nine hundred and forty-nine the sum of eight hundred dollars (\$800)

#### To the Joint State Government Commission

For the payment of wages and other compensation of the employes and for the payment of general expenses necessary for the proper conduct of the work of the Joint State Government Commission the sum of two hundred fifty thousand dollars (\$250,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman shall file an accounting of said expenses with the Auditor General

#### To the Legislative Reference Bureau

For the payment of the salaries and other compensation of the director assistant director librarian attorneys-at-law clerks secretaries stenographers typists messengers and other employes permanently employed for the two fiscal years beginning June first one thousand nine hundred and forty-nine and for those temporarily employed until the end of the session of the General Assembly of one thousand nine hundred fifty-one and for maintenance law books reference material incidental equipment and supplies traveling expenses and incidental expenses the sum of one hundred fifty thousand dollars (\$150,000)

#### III Judicial Department

For the payment of the salaries of the judges of the Supreme Court and Superior Court the salaries and mileage of the president and other law judges of the several courts of common pleas in the Commonwealth and the judges of the several orphans' courts and for the compensation of common pleas judges holding court in other districts and for the payment of salaries and mileage of associate judges the following sums or as much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and forty-nine payments to be made monthly by warrant drawn by the Auditor General on the State Treasury except in the case of associate judges who shall be paid quarterly on August thirty-first November thirtieth February twenty-eighth and May thirty-first of each year but when by reason of death or resignation salary for a fraction of a quarter is due any judge

it shall be computed according to the ratio it bears to the whole quarter so as not however to increase or diminish the salary he is entitled to receive under the several acts of Assembly fixing the compensation of judges Provided That at the beginning of the term the interval from the first Monday of January to the first Monday of March shall be reckoned as two-thirds of a quarter and at the close of the term the interval from the first day of December to the first Monday of January shall be reckoned as one-third of a quarter

#### Supreme Court

For the payment of the salaries of the Supreme Court judges the sum of three hundred twenty three thousand dollars (\$323,000)

For the payment of the salaries or compensation of the briefers investigators stenographers typewriters and clerks and to reimburse the judges of said court for expenses incurred in the discharge of their duties or attendant upon execution of the duties of the office the sum of fifty-six thousand dollars (\$56,000)

For the payment of salaries wages and other compensation of a deputy prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the eastern district and employes in the library of the Supreme Court at Philadelphia for the purchase of stationery supplies and the payment of the necessary expenses of the Supreme Court for the eastern district thereof for the purchase of books and necessary expenses of the library of the Supreme Court at Philadelphia the sum of sixty-five thousand two hundred dollars (\$65,200)

For the payment of salaries wages and other compensation of a deputy prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the western district thereof for the purchase of stationery supplies books for the library and other necessary expenses of the Supreme Court western district the sum of forty thousand dollars (\$40,000)

For the payment of salaries wages or other compensation of the prothonotary and other employes in the office of the prothonotary of the Supreme Court for the middle district and for the payment of expenses for the Supreme Court in the middle district and the Superior Court at Harrisburg the sum of fourteen thousand six hundred dollars (\$14,600)

For the payment of the salary and expenses of the chief tipstaves official stenographers court officers and law secretary of the Chief Justice of the eastern middle and western districts and for premiums for workmen's compensation insurance covering all employes of the Supreme Court the sum of one hundred eighteen thousand eight hundred twenty-five dollars (\$118,825) Provided That the chief of the middle district shall receive no other compensation from the State

For the payment of the fees of the prothonotaries of the Supreme Court of the eastern middle and western districts on assignment of judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred and nineteen the sum of four thousand five hundred dollars (\$4500) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

For the payment of expenses of Board of Governance of the Pennsylvania Bar the sum of ten thousand dollars (\$10,000)

For the payment of the expenses of the Procedural Rules Committee appointed by the Supreme Court to assist it in the preparation revision promulgation publication and administration of general rules of practice for the courts of this Commonwealth the sum of twenty-five thousand dollars (\$25,000)

In the case of necessary expenses stationery supplies and books for the eastern western and middle district herein provided for the same shall be paid on warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Supreme Court for the particular district thereof

For the payment of the salaries and expenses of the State Board of Law Examiners the sum of sixty thousand dollars (\$60,000)

#### Superior Court

For the payment of the salaries of the judges of the Superior Court the sum of two hundred ninety-five thousand dollars (\$295,000)

For the payment of the salaries or compensation of the clerks briefers investigators stenographers and typewriters of the Superior Court and to reimburse the judges of said court for expenses incurred in the discharge of their duties the sum of forty-nine thousand dollars (\$49,000)

For the payment of the salaries and expenses of the crier and necessary tipstaves of the Superior Court and for premiums for workmen's compensation insurance covering all employes of the Superior Court the sum of eighty-five thousand three hundred eighty-five dollars (\$85,385)

For the purchase of dockets stationery supplies books for the library and other necessary expenses of the said Superior Court or its officers the sum of fifteen thousand dollars (\$15,000) to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Superior Court Philadelphia Harrisburg and Pittsburgh

#### Common Pleas Court

For the payment of the salaries of the judges of the courts of common pleas learned in the law in the several judicial districts of the Commonwealth the sum of three million seven hundred fifty-five thousand dollars (\$3,755,000)

For the payment of the compensation carfare and expenses of judges for holding court outside of their own judicial districts in accordance with law the sum of seventy-five thousand dollars (\$75,000)

For the payment of mileage allowed common pleas judges in judicial districts containing more than one county as provided by law the sum of five thousand dollars (\$5,000)

For the payment of the judges of the courts of common pleas of Dauphin County for clerk hire in accordance with the law and for premiums for workmen's compensation insurance covering such clerks the sum of fifty thousand dollars (\$50,000)

#### Orphans' Court

For the payment of the salaries of the orphans' court judges in the several judicial districts in which separate orphans' courts have been established by law the sum of seven hundred twenty-five thousand dollars (\$725,000)

#### Municipal Court of Philadelphia

For the payment of the salaries of the judges of the Municipal Court of Philadelphia in accordance with law the sum of two hundred sixty-five thousand dollars (\$265,000)

#### County Court of Allegheny County

For the payment of the salaries of the judges of the County Court for County of Allegheny the sum of one hundred forty-five thousand dollars (\$145,000)

#### To the Juvenile Court of Allegheny County

For the payment of the salary of the judges of Juvenile Court of the County of Allegheny the sum of twenty-four thousand dollars (\$24,000)

#### Retired Judges

For the payment of the salaries of the judges of the Supreme Superior common pleas and orphans' courts who may resign or retire in accordance with the provision of the act of Assembly approved June twelfth Anno Domini one thousand nine hundred and nineteen (P. L. 461) the sum of eighty-one thousand dollars (\$81,000)

#### Associate Judges

For the payment of the salaries of the associate judges the sum of sixty thousand dollars (\$60,000)

For the payment to associate judges of mileage for the two fiscal years beginning June first one thousand nine hundred and forty-nine the sum of seven thousand dollars (\$7,000)

#### State Reporter

For the payment of the salary of the State Reporter the sum of fifteen thousand dollars (\$15,000)

For the payment of the salary of the Assistant State Reporter the sum of ten thousand dollars (\$10,000)

For the payment of stationery clerk hire assistants and other general expenses the sum of twenty thousand six hundred forty dollars (\$20,640)

Section 3 This act is not intended to be inconsistent with or to repeal any provision of any act enacted at this or any prior session of the General Assembly regulating the purchase of supplies the ordering of printing and binding the purchase maintenance and use of automobiles the method of making payments from the State Treasury for any purpose or the functioning of any administrative department board or commission

Section 4 No appropriation made by this act to any department board commission or agency of the Executive Department shall be available unless and until such department board commission or agency shall have complied with sections 604 605 and 606 of The Administrative Code

Section 5 The term "employes" as used in this act shall include all directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientist engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants in any department board and commission

Section 6 The terms "general expenses" and "maintenance" shall include all printing binding and stationery food and forage materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water repairs or reconstruction of equipment buildings and facilities rent of real estate and equipment premiums on workmen's compensation insurance premium on policies of liability insurance covering the operation of permanently assigned automobiles premiums on surety bonds the purchase of replacement or additional equipment and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of services incurred through the Purchasing Fund

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

### NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from his Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

#### JUDGE OF THE COURT OF COMMON PLEAS OF THE THIRTY-SECOND JUDICIAL DISTRICT

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arthur P. Bretherick, 12 Golf Road, Lansdowne, Delaware County, for appointment as Judge of the Court of Common Pleas of the Thirty-second Judicial District, composed of the County of Delaware, until the first Monday of January, 1950.

JAMES H. DUFF.

#### MEMBER OF THE STATE CIVIL SERVICE COMMISSION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George Young (Republican), 353 North Wade Avenue, Washington, Washington County, for reappointment as a Member of the State Civil Service Commission, to serve until April 9, 1954, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

#### SECRETARY OF COMMERCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Theodore Roosevelt, 3rd, 1593 Wayne Avenue, Villanova, Delaware County, for appointment as Secretary of Commerce, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified, vice Orus J. Matthews, Ardmore, resigned.

JAMES H. DUFF.

#### MEMBERS OF THE FULTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Fulton County Board of Assistance:

Rev. G. Loren Jones (Republican), McConnellsburg, Fulton County, to serve until December 31, 1950, and

until his successor is duly appointed and qualified, vice Roy W. Layton, Warfordsburg, deceased.

Wilmer G. Hays (Democrat), McConnellsburg, Fulton County, to serve until December 31, 1950, and until his successor is duly appointed and qualified, vice Wilson Nace, McConnellsburg, resigned.

Howard C. Peck (Republican), McConnellsburg, Fulton County, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice J. Campbell Patterson, McConnellsburg, resigned.

JAMES H. DUFF.

### COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

#### RECALLING NOMINATION FOR JUSTICE OF THE PEACE FOR THE BOROUGH OF WHITAKER, ALLEGHENY COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination made to your Honorable Body on April 21, 1949, for the appointment of Joseph Zak, 126 Whitaker Street, Whitaker, Allegheny County, as Justice of the Peace in and for the Borough of Whitaker, Allegheny County.

JAMES H. DUFF.

### COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

#### APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 663, PRINTER'S No. 239

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 663, Printer's No. 239, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

The PRESIDENT. The bill will be laid on the table.

#### APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 575, PRINTER'S No. 243

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 575, Printer's No. 243, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

The PRESIDENT. The bill will be laid on the table.

APPROVED AND SIGNED SENATE CONCURRENT  
RESOLUTION RECALLING SENATE BILL  
No. 409, PRINTER'S No. 319

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

I have the honor to inform you that I have this day  
approved and signed Senate Concurrent Resolution re-  
calling from the Governor Senate Bill No. 409, Printer's  
No. 319, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

The PRESIDENT. The bill will be laid on the table.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the  
Governor of the Commonwealth, nominations for ap-  
pointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. LORD, JR. Mr. President I move that the Senate  
do now proceed to the consideration of nominations for  
appointment as Notaries Public, sent to the Senate, by  
His Excellency, the Governor of the Commonwealth, on  
April 27, 1949.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

In conformity with law, I have the honor hereby to  
nominate for the advice and consent of the Senate the  
following persons for appointment as Notaries Public, for  
terms of four years to compute from the date of con-  
firmation:

ALLEGHENY COUNTY

Miss Estelle M. Jones, Pittsburgh, 206 Martin Bldg.

ARMSTRONG COUNTY

Glenn R. Fulton, Kittanning.

BRADFORD COUNTY

Norman E. Wilson, Sayre.

BUCKS COUNTY

E. S. Lovett, Morrisville.

CRAWFORD COUNTY

Miss Lillian J. Brady, Titusville.

CUMBERLAND COUNTY

William H. Boldosser, Carlisle.

DAUPHIN COUNTY

George E. Bowman, Harrisburg.

DELAWARE COUNTY

Miss Mabel Bennett, Darby.

Michael A. Honan, Chester.

ERIE COUNTY

Samuel M. Baker, Erie.  
John W. English, Erie.  
Miss Mary E. Minnaugh, Erie.

FAYETTE COUNTY

Joseph K. Bush, Brownsville.

FRANKLIN COUNTY

Miss Helen L. Seilhamer, Hamilton Twp., R. D. 4,  
Chambersburg.

LACKAWANNA COUNTY

Miss Marion F. Ruane, Scranton.

LANCASTER COUNTY

Carl H. Groff, New Holland.  
Mrs. Etta M. Sheaffer, East Earl Twp., R. D. 1, East Earl.

LEHIGH COUNTY

Miss Addie M. Baus, Allentown.  
Mrs. Marie C. Wagner, Bethlehem.

LUZERNE COUNTY

Walter Becker, Luzerne.  
George R. Hewitt, Luzerne.

MERCER COUNTY

Miss Marvella M. Meyer, Sharon.

NORTHAMPTON COUNTY

Mrs. Anna M. Crouthamel, Bethlehem.  
Miss Sarah C. Matz, Bethlehem.

PHILADELPHIA COUNTY

Clement Cipparone, 1725 Fernon Street (45).  
Warren H. Koch, 1608 Ludlow Street (3).  
Miss Mary R. Lawler, 426 Walnut Street (6).  
Miss Rae Schwartz, 807 Otis Bldg., 116 S 16th St.  
Mrs. Carolyn T. Smith, 1635 Hamilton St.  
David J. Whalen, 6549 Belmar Terrace (42).  
Thomas Winkler, 2d Floor, 32d & Walnut Sts.

SCHUYLKILL COUNTY

Mrs. Pruella C. Schaeffer, Pine Grove.

WESTMORELAND COUNTY

R. C. Thompson, North Belle Vernon.

JAMES H. DUFF.

A motion was made by Mr. LORD, JR., and Mr.  
WALKER,

That the Senate do advise and consent to said nomi-  
nations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the pro-  
visions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## HOUSE MESSAGE

## SENATE BILL NO. 229 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 229, entitled:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 247 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 247, entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," by increasing the amounts which the counties will receive from the State for forest reserves.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 330 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 330, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children and elderly people as well as family groups, industrial workers and others.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 465 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of revising the curricula of elementary, secondary and vocational schools.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 501 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 501, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 504 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 504, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 508 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 508, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 660 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 660, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of and the purchase of apparatus and equipment for the Western State Psychiatric Institute and Clinic and for the conduct of teaching and research on the cause, treatment, prevention and cure for the various types of nervous disorders and mental diseases; and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 196, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the holding of special elections to fill vacancies in the councils or legislative bodies of cities boroughs towns and townships and for nominating candidates therefor and changing the provisions of said act relating to rejections of and objections to nomination certificates and nomination papers withdrawals of candidates substituted nominations and certifications by the Secretary of the Commonwealth of candidates for special elections

Senate Bill No. 245, entitled:

An Act to further amend section fourteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by increasing the minimum amount to be paid to certain members on retirement

Senate Bill No. 375, entitled:

An Act to further amend paragraph four of subsection A of section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and

officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans.

Senate Bill No. 415, entitled:

An Act making an appropriation to Washington and Jefferson College for conservation education; and requiring certain reports in connection therewith.

Senate Bill No. 471, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of the necessary expenses in connection with the establishing and operation of the recreational camp at Indiantown Gap Military Reservation.

Senate Bill No. 479, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Senate Bill No. 500, entitled:

An Act to further amend subsection four of section fourteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees; defining the uses and purposes thereof, and the manner of payments therefrom; and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits and rights from taxation, and judicial process and providing penalties" by increasing the amount of retirement or compensation payments to persons now retired, receiving survivor annuities or State compensation under the Public School Employees Retirement System.

Senate Bill No. 551, entitled:

An Act relating to the disposition of unclaimed moneys in the treasuries of municipalities providing for the title of accounts of moneys placed in municipal depositories the crediting to the appropriate municipalities of amounts held for the payment of checks issued and outstanding for two years or more and the escheat for the use of the municipality of any sums appropriated for their payment when such checks are not presented within seven years from date of issue providing further for the paying over to the municipal treasurer of any moneys originally paid to any municipal officer that do not belong to such officer and remain unclaimed for a period of one year for the presenting of claims to such moneys by the persons legally entitled thereto and for the escheat for the use of the municipality of any such moneys unclaimed within seven years.

Senate Bill No. 560, entitled:

An Act to further amend section five hundred sixty-three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the adoption and alteration of budgets in districts of the second, third and fourth class.

## Senate Bill No. 603, entitled:

An Act providing for the payment of salaries to the president and members of the town council of incorporated towns at the discretion of the town council.

## Senate Bill No. 655, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing insurance companies, associations and exchanges to make further investments of capital reserve and surplus funds in obligations issued assumed or guaranteed by International Bank for Reconstruction and Development.

## Senate Bill No. 719, entitled:

An Act to impose a temporary tax on real estate for public school purposes in school districts of the first class to pay off any non-funded debt incurred for current expenses and any deficit incurred for current expenses

## Senate Bill No. 723, entitled:

An Act to further amend Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227), entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock or any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith," by authorizing further changes in the capital stock requiring a class vote of stockholders to authorize certain changes and providing for the valuation and purchase by the corporation of the shares of dissenting stockholders in certain situations.

## Senate Bill No. 724, entitled:

An Act to amend the title and Section 1 of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 679) entitled, "An act authorizing corporations to issue stock to their employees and to employees of their subsidiaries at par value or at a price in excess of par value" by eliminating the requirement that such an issue be at par value and authorizing such an issue without first offering such shares to the stockholders subject to certain limitations.

## Senate Bill No. 745, entitled:

An Act to add section two hundred eleven point one to the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating

bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by authorizing the assessment and collection by the Insurance Commissioner of assessments against life insurance companies to defray expenses of the committee on valuation of securities of the National Association of Insurance Commissioners providing for the determination of the amount of such assessments and the expenditure of such assessments by the Commissioner.

## Senate Bill No. 842, entitled:

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on the gross receipts of certain persons engaging in certain businesses therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education receiver of school taxes, and school treasurer in such districts; and prescribing penalties.

## Senate Bill No. 846, entitled:

An Act to amend the Act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employees and imposing penalties" by continuing temporarily the provisions of the act for 1950 and succeeding years and by imposing certain duties on school treasurers in certain school districts of the first class and relieving county treasurers of certain duties under this act.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

## HOUSE BILL No. 912 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time House Bill No. 912, which was passed over in its order temporarily.

BILL ON THIRD READING AND  
FINAL PASSAGE

Aggreably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 912, as follows:

An Act relating to and regulating the business of dry cleaning and dyeing as herein defined granting authority to and imposing duties upon the Department of Labor and Industry requiring approval by said Department of certain plans for dry cleaning and dyeing plants and the machinery equipment and systems used therein prescribing filing fees for applications for said approval providing for certain administrative and judicial review of the orders and decisions of said Department conferring authority upon certain employees of political subdivisions and representatives of the Pennsylvania State Police providing penalties for violations of the provisions of this act or the regulations adopted thereunder and repealing certain acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Dry Cleaning and Dyeing Law"

Section 2 Definitions For the purposes of this act the following words or phrases unless the context clearly in-

icates otherwise shall have the meanings ascribed to them in this section

(1) "Department" shall mean the Department of Labor and Industry of the Commonwealth of Pennsylvania

(2) "Dry Cleaning and Dyeing" means the business or process of cleaning or dyeing wearing apparel cloth fabrics textiles leather goods furs and hats of any type or kind by immersion and agitation or immersion only in a commercially non-aqueous volatile or volatile and inflammable liquid solvent applied either manually or by means of a mechanical appliance including sponging or brushing of such articles by the use of such solvents

(3) "Class I Solvent" means any inflammable petroleum solvent having the following properties

Flash Point (close cup tester) Lower than 100 degrees Fahrenheit

(4) "Class II Solvent" means any inflammable petroleum solvent having the following properties

Flash Point (close cup tester) Lower than 138.2 degrees Fahrenheit but higher than 99 degrees Fahrenheit

Initial Boiling Point Lower than 357.8 degrees Fahrenheit but higher than 300 degrees Fahrenheit

Ignition Temperature Lower than 453.2 degrees Fahrenheit but higher than 440 degrees Fahrenheit

Power Limit of Explosive Range Not less than 1.1 per cent by volume of air

Spontaneous Heating The solvent shall not heat spontaneously

(5) "Class III Solvent" means any inflammable petroleum solvent having the following properties

Flash Point (closed cup tester) Not lower than 138.2 degrees Fahrenheit

Initial Boiling Point Not lower than 357.8 degrees Fahrenheit

Ignition Temperature Not lower than 453.2 degrees Fahrenheit

Power Limit of Explosive Range Not less than 0.8 per cent by volume in air at an initial temperature of 302 degrees Fahrenheit

Spontaneous Heating The solvent shall not heat spontaneously

(6) "Class IV Solvent" means any commercially non-aqueous liquid solvent which is volatile but does not contain flash point ingredients and which is neither a Class I Class II nor Class III Solvent

(7) "Class I dry cleaning and dyeing plant" means any premises or establishment in which the business of dry cleaning or dyeing is conducted by utilizing Class I solvent in the dry cleaning or dyeing system and machinery

(8) "Class II dry cleaning and dyeing plant" means any premises or establishment in which the business of dry cleaning or dyeing is conducted by utilizing Class II solvent in the dry cleaning or dyeing system and machinery

(9) "Class III dry cleaning and dyeing plant" means any premises or establishment in which the business of dry cleaning or dyeing is conducted by utilizing Class III solvent in the dry cleaning or dyeing system and machinery.

(10) "Class IV dry cleaning and dyeing plant" means any premises or establishment in which the business of dry cleaning or dyeing is conducted by utilizing Class IV solvent in the dry cleaning or dyeing system and machinery

Section 3 Compliance with Act Required No person partnership association or corporation shall erect construct maintain or operate any dry cleaning and dyeing plant except in accordance with the provisions of this act

Section 4 Class I Dry Cleaning and Dyeing Plants Restricted Class I dry cleaning and dyeing plants in operation at the effective date of this act may be continued in operation subject to the rules and regulations adopted by the Department as hereinafter authorized

No person partnership association or corporation shall hereafter erect or construct any Class I dry cleaning and dyeing plant nor shall any such plant other than

those in operation at the effective date of this act be hereinafter maintained or operated

Section 5 Location and Construction of Buildings and Rooms Class II Class III and Class IV Dry Cleaning and Dyeing Plants (a) No dry cleaning or dyeing room shall be operated or maintained in any basement cellar or other space below the ground level or in any story above the first story in any building

(b) No room used for dry cleaning or dyeing shall be used for any other purpose or occupancy than spotting sponging brushing reclaiming of solvents and the housing of drying cabinets and tumblers

(c) Venting apertures near floor level shall be provided in dry cleaning dyeing tumbler and drying rooms kept clear of obstruction covered by suitable galvanized wire web and in such numbers and position so as to provide free circulation of air

(d) All discharge outlets of vent apertures shall be provided with suitable wire screen or equivalent and located so as to avoid hazard to surrounding property

(e) Every dry cleaning dyeing tumbler or drying room shall have installed therein an exhaust fan of sufficient size and a flue of noncombustible material adequate to prevent concentration of vapors above the maximum concentrations hereinafter specified for each class of dry cleaning and dyeing plant

(f) Flues and discharge pipes shall extend at least six feet above the roof lines or ceiling level of the dry cleaning or dyeing room and shall not terminate within ten feet measured horizontally of any door window or frame wall of any adjoining or adjacent building

(g) Adequate fresh air entrances must be provided so as to avoid a negative gauge pressure in every dry cleaning dyeing tumbler or drying room

(h) Where drying or solvent reclaiming is done in a separate building or room the building or room shall conform in all respects to the requirements for the main dry cleaning or dyeing building or room

Section 6 Location and Construction of Buildings and Rooms Class II Dry Cleaning and Dyeing Plants (a) No room used for the purpose of dry cleaning or dyeing shall exceed one story in height

(b) Any roof ceiling or other construction over any dry cleaning or dyeing room shall be of fire resistive construction and there shall be no concealed space above any such room

(c) No dry cleaning dyeing tumbler or drying room shall be located within ten feet of any other building unless separated therefrom by an unpierced fire wall but in no case shall more than two sides of a dry cleaning or dyeing room have blank walls

(d) Any room used for dry cleaning or dyeing shall have at least two exits remote from each other which open to the outside of the building

(e) Any room used for dry cleaning or dyeing shall be of non-combustible material and construction

(f) All walls of dry cleaning dyeing tumbler or drying rooms shall be of brick laid in cement mortar or of reinforced concrete not less than twelve inches in thickness or of stone laid in cement mortar not less than sixteen inches in thickness or of other noncombustible material constructed of a thickness of not less than twelve inches

(g) No combustible material shall be permitted in the construction of drying room racks

(h) All windows doors or other openings in dry cleaning dyeing or tumbler rooms shall be protected by wire glass in metal frames

(i) There shall be no inter-communicating opening from any dry cleaning dyeing tumbler or drying room to a pressing or sewing room

(j) There may be an inter-communicating opening between any dry cleaning or dyeing room and any drying room which shall be protected by a standard self-closing fire door

(k) Skylights shall be provided in all dry cleaning dyeing or tumbler rooms Skylights shall be constructed of metal frame and sash and be provided with wire-glass

The sash shall be of the pivot type and so hung as to swing out readily in case of fire

(l) The floor of every dry cleaning dyeing or tumbler or drying room shall be of concrete construction and shall not be lower than the surface of the earth surrounding any wall in which there is an opening or vent

(m) There shall be no basement cellar or other open space below the floor of any room used for dry cleaning or dyeing

(n) There shall be no direct sewer connections with dry cleaning dyeing tumbler or drying rooms

Section 7 Location and Construction of Buildings and Rooms Class III Dry Cleaning and Dyeing Plants (a) Any roof ceiling or other construction over any room used for dry cleaning or dyeing shall be of fire resistive construction

(b) If any dry cleaning or dyeing room is located in a multiple story building the remainder of such building may not be used for any purposes of public assemblage for any living housing or dwelling purposes

(c) If any dry cleaning or dyeing room is located in a multiple story building such building shall be of fire resistive construction throughout as stone steel concrete brick tile and such other non-inflammable materials as may be approved in the regulations adopted by the Department as herein authorized

(d) All walls of dry cleaning dyeing tumbler or drying rooms shall be of brick or concrete block laid in cement mortar or of reinforced concrete not less than eight inches in thickness or of stone laid in cement mortar not less than twelve inches in thickness or of other non-combustible material constructed of a thickness of not less than twelve inches

(e) No combustible material shall be used in the construction of drying room racks

(f) All windows doors or other openings in dry cleaning dyeing or tumbler rooms shall be protected by wire-glass in metal frames or fireproof shutters doors or covers

(g) Inter-communicating openings from dry cleaning dyeing tumbler and drying rooms shall be provided with standard self-closing fire doors

(h) The floor of every dry cleaning dyeing tumbler or drying room shall be of concrete construction and shall not be lower than the surface of the earth surrounding any wall in which there is an opening or vent if any such room is located over a basement the floor of such room shall be liquid and vapor tight

(i) Any room used for the purpose of dry cleaning or dyeing shall have at least one exit which opens to the outside of the building or to an interior fire-proof fire structure

(j) Any basement cellar or other open space below the first story of any building in which a dry cleaning or dyeing plant is located shall be used only by the person partnership association or corporation operating such dry cleaning or dyeing plant and any such basement cellar or other open space shall have installed therein an exhaust fan or fans of sufficient size and a flue or flues of non-combustible material adequate to prevent concentration of vapors above the maximum concentration hereinafter specified for the dry cleaning or dyeing rooms in class III dry cleaning and dyeing plants

(k) There shall be no direct sewer connections with dry cleaning dyeing tumbler or drying rooms

Section 8 Location and Construction of Buildings and Rooms Class IV Dry Cleaning and Dyeing Plants (a) Every room used for dry cleaning or dyeing shall have a ceiling covered with non-combustible material approved by the department

(b) If any dry cleaning or dyeing room is located in a multiple story building the remainder of such building may not be used for any purposes of public assemblage or for any living housing or dwelling purposes except that the owner of the dry cleaning or dyeing plant may occupy part of the building for his living quarters

(c) If any dry cleaning or dyeing room is located in a multiple story building such building shall be of fire resistance construction throughout

(d) All walls of dry cleaning dyeing tumbler or drying rooms shall be of brick laid in cement mortar or of reinforced concrete or of stone laid in cement mortar or covered with other non-combustible material approved by the Department

(e) Any room used for the purpose of dry cleaning or dyeing shall have at least one exit which opens to the outside of the building or to an interior fire-proof stairway

(f) The floor of every dry cleaning dyeing tumbler or drying room shall be of concrete construction or covered with other non-combustible material approved by the Department

(g) Any basement cellar or other open space below the first story of any building in which a dry cleaning or dyeing plant is located shall be used only by the person partnership association or corporation operating such dry cleaning or dyeing plant and any such basement cellar or other open space shall have installed therein an exhaust fan or fans of sufficient size and a flue or flues of non-combustible material adequate to prevent concentration of vapors above the maximum concentration hereinafter specified for the dry cleaning or dyeing rooms in Class IV dry cleaning and dyeing plants

Section 9 Machinery Equipment and Operating Conditions Class I Class III and Class IV Plants (a) No steam boiler furnace or steam generator or open flame or incandescent heating device or exposed fire shall be permitted in any dry cleaning dyeing tumbler drying or distilling room

(b) All heating shall be by steam or hot water system or other system equivalent in safety with pipes radiators or other devices installed with adequate clearances and properly protected where necessary against contact with combustible goods or materials

(c) All electric wiring equipment and appliances including motors shall conform to the regulations of the Department adopted as hereinafter provided

(d) All transfers of solvents shall be effected through continuous piping and all pipe connections or threaded joints shall be made up with a suitable sealing compound and all outlets or drain lines shall be drained to settling or storage tanks

(e) No solvent shall be settled or stored in any open or unprotected vessels or tanks Provided That scrubbing spotting and brushing operations may be carried on in dry cleaning or dyeing rooms with the use of not more than three pans or containers which shall be metallic and none of which shall contain more than three gallons of solvent and all solvent shall be returned to settling or storage tanks as soon as such operations are completed

(f) All storage tanks for volatile or volatile and inflammable solvents shall with respect to their size location and construction conform to the regulations adopted by the Department as hereinafter provided

(g) Fire extinguishers of a type and size approved by the department shall be provided for each five hundred square feet of floor space or when separate rooms of less than five hundred square feet of floor space are maintained one extinguisher for each room

(h) No machinery equipment or system shall be used in any dry cleaning and dyeing plant unless such machinery equipment or system has been approved for use therein by the Department in accordance with such regulations as the Department may promulgate under the authority herein contained to insure health and safety

(i) No dry cleaning or dyeing machine or system approved by the Department for the use of either a Class I Class II Class III or Class IV solvent shall have used therein any solvent other than that for which such machinery has been approved provided however that Class III solvent may be used in a machine or system approved for a Class II solvent

Section 10 Machinery Equipment and Operating Conditions Class II and Class III Plant (a) As a means of fire extinguishment in any dry cleaning dyeing tumbler or drying room the same shall be equipped with steam pipes which shall be separate from and other than the pipes used for heating or power and shall be located near the

ceiling In these pipes there shall be not less than two openings for each room all of which shall point toward the ceiling The steam supply for such pipes shall be continually available for service while the plant is in operation and shall be sufficient to completely fill the room space in less than one minute An outside screw and yoke valve shall be placed in the steam service line or lines outside of these rooms which shall be accessible for operation in case of fire an approved system using a fire deterrent chemical or gas or an approved sprinkler system may be installed in lieu of a steam extinguishing system

(b) A steam fire protection system shall be extended and connected to all washers and tumblers so that the fire extinguishing agent may be admitted to the interior of such machine

(c) The cylinders and shells of all dry cleaning or dyeing machines or drying tumblers and the cabinet walls of all drying cabinets shall be permanently and effectively grounded so as to mitigate danger from static electricity

(d) The fan or fans hereinbefore required for every dry cleaning dyeing tumbler or drying room shall be of sufficient size or number to prevent concentration of fumes above one thousand parts per million of atmosphere

Section 11 Machinery Equipment and Operating Conditions Class IV Plants The fan or fans hereinbefore required for every dry cleaning dyeing tumbler or drying room shall be of sufficient size or number to prevent concentrations of fumes above fifty parts per million of atmosphere for carbon tetrachloride systems or two hundred parts per million of atmosphere for perchlorethylene and similar types of systems

Section 12 Approval of Plans for Dry Cleaning and Dyeing Plants No person partnership association or corporation shall construct erect maintain or operate any dry cleaning or dyeing plant without first obtaining the approval of the Department for the plan of such plant and the machinery equipment and systems used therein Application for such approval shall be made upon forms prescribed by the Department and shall be accompanied by drawings covering floor plan roof plan and external elevations of the buildings indicating the position of all machinery and equipment exhaust fans motors storage tanks steam fire extinguishing lines where required and indicating compliance with such other requirements of this act as relate to the construction maintenance equipment and operation of the dry cleaning and dyeing plant to be erected constructed maintained or operated The aforesaid application shall also be accompanied by a plot plan showing the location of the dry cleaning and dyeing plant with respect to and the distances from all surrounding properties

Any dry cleaning and dyeing plant for which the approval of the Department has been secured as required by the laws specifically repealed by this act shall be deemed to have complied with the foregoing provisions of this section

A fee of five (\$5) dollars shall be paid to the Department at the time any application for approval shall be filed

Section 13 Enforcement of the Act Power to make Regulations The Department shall have general power to supervise the enforcement of this act and it may make alter amend and repeal such regulations for the protection of the public health and safety as are not inconsistent with this act and as may be necessary or proper for carrying into effect all the provisions of this act and for applying such provisions to specific conditions

Section 14 Review of Orders and Decisions of the Department Any person co-partnership association or corporation aggrieved by any order of the Department made in carrying out the provisions of this act or by the Department's refusal of any application for approval under section twelve of this act may at any time within thirty days after receipt of notice of such order or refusal appeal to the Industrial Board by filing with such Board a verified petition setting out specifically and in full detail the order or refusal upon which a hearing is desired and the reasons why such order or refusal is deemed to be unreasonable or invalid

The Industrial Board shall make an adjudication with respect to any such petition in accordance with the procedure prescribed in the Administrative Agency Law of June fourth one thousand nine hundred forty-five (P. L. 1388) its amendments and supplements and any such adjudication made by the Board shall be subject to judicial review in the manner prescribed by said Administrative Agency Law

Section 15 Inspection of Buildings Any building inspector any fire chief or fire marshal of any political subdivision or his authorized representative any inspector of the Department or any representative of the Pennsylvania State Police shall be permitted to enter any dry cleaning or dyeing plant at any reasonable hour for purposes of inspection

Section 16 Application of this Act to Existing Plants Nothing in this act shall be construed so as to restrict or limit the location of any building actually being used for dry cleaning purposes prior to the effective date of this act unless in the opinion of the Department a fire explosion or health hazard exists as a result of such location which seriously menaces or endangers the surrounding property persons living or working adjacent thereto or the public in which event the provisions of this act relative to location of buildings or rooms being used for dry cleaning and dyeing purposes shall be applicable

The provisions of this act shall not be held to apply to any plant building business or establishment now in use so as to require the same to be rebuilt but should any building or part thereof used for a dry cleaning and dyeing plant be reconstructed rebuilt or repaired the same shall as to new work be so constructed rebuilt or repaired in conformity with the provisions of this act

In addition to the provisions contained in this act for ventilation of cleaning and dyeing plants the Department may require additional ventilation where it is deemed necessary

Section 17 Penalties Any person co-partnership association or corporation or any member or officer of any co-partnership association or corporation who shall violate any of the provisions of this act or any of the rules and regulations adopted by the Department as herein authorized shall upon summary conviction be sentenced for the first offense to pay a fine of not less than ten (\$10) dollars or more than fifty (\$50) dollars and costs of prosecution and for any subsequent offense to pay a fine of not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars and costs of prosecution and in default of the payment of such fine and costs shall undergo imprisonment for a period of not less than ten (10) days nor more than sixty (60) days

Any person convicted in any summary proceeding under this act shall have the right of appeal or review by certiorari as in other cases of summary conviction

Section 18 Disposition of Fines All fines collected under the provisions of this act for violations of the same or the rules and regulations adopted by the Department as herein authorized shall be paid to the Department and transmitted to the State Treasury in the manner provided by law

Section 19 Savings Clause Any violations of any of the provisions of the laws specifically repealed by this act occurring prior to the effective date of this act may be prosecuted in the criminal courts and the prosecution concluded under such laws and for such purposes the laws specifically repealed by this act shall be deemed to remain in effect

Section 20 Repealer and Saving Clause The act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" and its amendments are hereby repealed

This act shall not be construed to repeal any of the provisions of the act approved the eighth day of June one thousand nine hundred and eleven (P. L. 705) entitled "An act creating the office of Fire Marshal to be attached to the

Department of Public Safety in cities of the first class prescribing his duties and powers and providing penalties for violations of the provisions of the act and providing for the method of appointment compensation and for the maintenance of his office" or of the act approved the third day of June one thousand nine hundred and forty-three (P. L. 821) entitled "An act authorizing the county commissioners in each county of the second class to appoint a fire marshal and two assistant fire marshals providing for the term of office and compensation of the persons so appointed and prescribing their powers and duties imposing certain additional duties upon county commissioners policemen constables watchmen and other persons authorizing the fire marshal or his assistants to enter upon properties to investigate various fire hazards and to order the removal or abatement of such hazards conferring certain police powers upon the fire marshal and his assistants repealing certain general special and local legislation and prescribing penalties"

Section 21 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### SENATE CONCURRENT RESOLUTION

RECALLING FROM THE GOVERNOR SENATE BILL  
No. 688, PRINTER'S No. 349

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 27, 1949

Resolved (if the House of Representatives concur), that Senate Bill No. 688, Printer's No. 349, entitled "An act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled 'An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of

Highways relating thereto' establishing one procedure for changing altering or establishing the width lines locations or grades of State highways in townships and boroughs and incorporated towns," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

#### SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF THE LAWS RELATING TO ALL FISH, ANIMALS OF AQUATIC HABITS, AMPHIBIANS AND OTHER AQUATIC LIFE

Mr. SNOWDEN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. SNOWDEN and KEPHART, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 27, 1949

Whereas, There is an urgent need to investigate and study existing laws concerning fish, frogs, terrapin, animals of aquatic habits, amphibian and other aquatic life, in the waters of this Commonwealth; Therefore, Be It

Resolved, That the Joint State Government Commission is hereby directed and authorized to review, investigate, study and consider all of the laws relating to fish, frogs, terrapin, animals of aquatic habits, amphibian and other aquatic life, in the waters of this Commonwealth, the laws providing for control over the same, the laws regulating the aquisition and improvement of lands and waters for the protection of animals of aquatic habits, to restate and codify all such laws, and to report its findings, with drafts of proposed legislation embodying its recommendations, to the next regular session of the General Assembly.

#### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, several weeks ago there was placed on our desks a publication known as the Catalogue of Historical Scenes and Buildings in Pennsylvania.

Mr. President, I want to pay tribute to the Joint Government Commission for this fine publication. There is no more fascinating subject than the glorious past of Pennsylvania, and unfortunately many buildings, many historical sites, have been demolished and carelessly erased by people who are not attuned to the historical and glorious past of Pennsylvania.

Now, Mr. President, this study is not complete because legislation was not evolved that would help us to cope with the situation. Accordingly, on behalf of my colleagues, the gentleman from Somerset, Senator Hare, the gentleman from Warren, Senator Chapman, the gentleman from Westmoreland, Senator Dent, the gentleman from York, Senator Leader, the gentleman from Berks, Senator Ruth, the gentleman from Lancaster, Senator Diehm, the gentleman from Union, Senator Wolfe, and myself, I offer the following resolution, and ask for its immediate adoption.

#### SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO CONTINUE ITS STUDY AND SURVEY OF THE RESTORATION AND PRESERVATION OF HISTORIC BUILDINGS IN THE COMMONWEALTH

Mr. STIEFEL. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. STIEFEL, HARE, JR., CHAPMAN, DENT, LEADER, RUTH, DIEHM and WOLFE, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 27, 1949

Whereas The Joint State Government Commission has submitted an excellent report listing the historic buildings, sites and remains which constitute the tangible remains of Pennsylvania's rich and inspiring historic past, but no provision has been made for the protection and preservation of such historic buildings, sites and remains;

Whereas, There may be other historic buildings, sites and remains which should be added to this list; and

Whereas, All historic buildings, sites and remains throughout Pennsylvania are of inestimable educational and civic value and thus ought to be preserved for the benefit of present and future citizens of the Commonwealth, now therefore be it Resolved, That the Senate of Pennsylvania hereby instruct the Joint State Government Commission to make a study of appropriate legislation to assure the safety and preservation of the historical buildings, sites and remains, as listed in the Catalog of Historical Buildings, Sites and Remains reported by said Commission to the General Assembly, and to report the results of this study with definite recommendations for legislation at the next regular session of the General Assembly; Resolved, That the Senate hereby instruct the Joint State Government Commission with the cooperation of the Pennsylvania Historical and Museum Commission to continue its survey and revise its Catalog of the Historical Buildings, Sites and Remains in Pennsylvania which it deems to be of distinctive significance and value to the history or archaeology of this Commonwealth, and to report the revised Catalog to the General Assembly at its next regular session; and be it further Resolved, That the Senate hereby urgently request any person or persons owning or having custody of buildings, sites or remains which the Joint State Government Commission has deemed to be of distinctive significance and value to the history or archaeology of this Commonwealth not to destroy, alter or damage such buildings, sites or remains until the General Assembly at its next regular session has had an opportunity to take appropriate action.

### SENATE RESOLUTION

MEMORIAL SERVICES TO BE HELD THURSDAY,  
APRIL 28, 1949 AT FOUR O'CLOCK

Mr. FRAZIER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FRAZIER, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 27, 1949

Resolved that the Senate meet in special session on Thursday, April 28, 1949, at four o'clock P.M., for the purpose of holding Memorial Services for the following former State Senators who have died since the last meeting of the Senate: Hon. Clarence D. Becker, Hon. William C. McConnell, Hon. Charles E. Miller, Hon. W. Crawford Murdoch, Hon. Charles H. Ealy, Hon. Charles A. P. Bartlett, Hon. Henry I. Wilson, Hon. Webster Grim, and Hon. Charles L. Brown; also for the late James J. Davis, former United State Senator from Pennsylvania.

SENATE BILL No. 663 RECALLED FROM THE  
GOVERNOR, TAKEN FROM TABLE

Mr. WALKER, Mr. President, I call from the table for

consideration at this time, Senate Bill No. 663, recalled from the Governor for the purpose of amendments.

### RECONSIDERATION OF SENATE BILL No. 663

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 663, entitled:

An Act authorizing the compromise and arbitration of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

passed finally

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Table of Contents, page 2, by inserting a new line after "Section 15 Estates Affected" to read as follows: "Section 16 Repealer"; Amend the last line of the Table of Contents, page 2, by striking out the numeral: "16"; and inserting the numeral: "17"; Amend page 4, line 2, by inserting after the word "agreement" and before the word "Unless" the following: "Such agreement shall finally and conclusively fix and determine the amount of tax payable to this State, without regard to any other provision of the laws of this State." Amend page 4, line 6, by adding after the word "penalties" the following: "In the event the aggregate amount payable under such agreement to the states involved is less than the maximum credit allowable to the estate against the United States estate tax imposed with respect thereto, the personal representatives forthwith shall also pay to the department so much of the difference between such aggregate amount and the amount of such credit as the amount payable to the department under the agreement bears to such aggregate amount. A copy of any such agreement shall be filed in the office of the proper register of wills, and any existing appraisement shall be deemed modified according to said agreement. In the event no appraisement has been made and filed prior to said agreement, the Department of Revenue shall direct an appraisement to be made and filed in the office of the proper register of wills in accordance with said agreement." Amend Section 15, page 7, line 14, by striking out after the word "to" and before the word "of" the word:

"states" and inserting in lieu thereof the word: "estates"; Amend page 7, by inserting between lines 14 and 15 the following: "Section 16 Repealer The act approved the fifth day of August one thousand nine hundred and forty-one (Pamphlet Laws 815) entitled 'An act to add section forty-three to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred twenty-one), entitled, 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal', authorizing compromise of tax claims in cases where there is a dispute as to the domicile of the decedent," is hereby repealed. Amend page 7, line 15, by striking out after the word "Section" and before the word "Effective" the numeral: "16" and substituting in lieu thereof the numeral: "17".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 663, on third reading, go over in its order as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### SENATE BILL No. 575 RECALLED FROM THE GOVERNOR, TAKEN FROM TABLE

Mr. WAGNER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 575, recalled from the Governor for the purpose of amendments.

### RECONSIDERATION OF SENATE BILL No. 575

Mr. WAGNER Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 575, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and com-

missions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the transfer of unneeded purchased supplies between departments, boards and commissions.

passed finally

The PRESIDENT. How did the Senator vote?

Mr. WAGNER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WAGNER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WAGNER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on the third reading?

Mr. WAGNER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend page 2, line 12 of the title by inserting at the end of the line after the word "commissions" the following: "and by making it a misdemeanor to refuse to obey a subpoena issued hereunder"; Amend page 6 by inserting between lines 3 and 4 the following: "Section 2. Section five hundred twenty of said act is hereby amended to read as follows:

"Section 520. Every administrative department, every independent administrative board and commission, every departmental administrative board and commission, every advisory board and commission, and the several workmen's compensation referees, shall have the power to issue subpoenas, requiring the attendance of witnesses and the production of books and papers pertinent to any hearing or investigation authorized by law before such department, board, commission, or officer, and to examine such witnesses, books, and papers.

Any witness, who without legal justification therefor refuses to obey a subpoena issued hereunder, or who refuses to be sworn or affirmed, or to testify, or who is guilty of any contempt after summons to appear, [may be punished for contempt to court, and, for this purpose, an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed, for which purpose, such court is hereby given jurisdiction] shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred (\$500) dollars or to undergo an imprisonment not exceeding one (1) year or both in the discretion of the court". Amend page 6, line 4, by striking out after the word "Section" and before the word "This" the following: "2" and inserting in lieu thereof the following: "3"

On the question,

Will the Senate agree to the amendments?  
They were agreed to.  
On the question,  
Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 575 on third reading, go over in its order, as amended.  
The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 409 RECALLED FROM THE GOVERNOR, TAKEN FROM TABLE

Mr. HOMSHER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 409, recalled from the Governor for the purpose of amendments.

RECONSIDERATION OF SENATE BILL No. 409

Mr. HOMSHER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 409, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes retirement system and creating a retirement board for the administration thereof; establishing certain funds from contribution by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having that employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process, and providing penalties," by extending service allowance of certain employes.

passed finally

The PRESIDENT. How did the Senator vote?  
Mr. HOMSHER. Mr. President, I voted with the majority.  
Mr. HARE. Mr President, I second the motion.  
The PRESIDENT. How did the Senator vote?  
Mr. HARE. Mr. President, I voted with the majority.  
The motion was agreed to.  
And the question recurring,  
Shall the bill pass finally?  
Mr. HOMSHER. Mr. President, I move to reconsider the vote by which the bill passed third reading.  
The PRESIDENT. How did the Senator vote?  
Mr. HOMSHER. Mr. President, I voted with the majority.  
Mr. HARE. Mr President, I second the motion.  
The PRESIDENT. How did the Senator vote?  
Mr. HARE. Mr. President, I voted with the majority.  
The motion was agreed to.  
And the question recurring,  
Will the Senate agree to the bill on third reading?  
Mr. HOMSHER. Mr. President, I ask unanimous consent to offer amendments at this time.  
The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:  
Amend Title, page 2, last line of title, by inserting after the word "employes" the following: "and requiring contributions by school boards and vocational school boards"; Amend Sec. 1 (Sec. 11), page 3, line 7, by striking out the bracket before the letter "a"; Amend Sec. 1 (Sec. 11),

page 3, line 9, by striking out the bracket after the word "were"; Amend Sec. 1 (Sec. 11), page 3, line 12, by inserting after the word "Mexican" the following: "Punitive Expedition"; Amend Sec. 1 (Sec. 11), page 3, line 12, by inserting after the numerals "II" the following: "provided such contributor returned to public school service within one year after separation from military service"; Amend Sec. 1 (Sec. 11), page 3, line 15, by inserting after the word "school" the following: "Every school board or vocational school board shall pay into the fund, the contributions required to be paid by it, and in addition the amount of contributions required to be paid by every contributor employed by it, for each year or fraction thereof, spent in military service, for which credit is acquired by such contributor under the provisions of this act". Amend Sec. 1 (Sec. 11), page 4, line 12, by inserting after the word "be" the following: "[counted]"; Amend Sec. 1 (Sec. 11), page 4, line 12, by underscoring the word "included".

On the question,  
Will the Senate agree to the amendments?  
They were agreed to.  
On the question,  
Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 409, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

STUDENTS FROM BRADFORD HIGH SCHOOL PRESENTED TO SENATE

Mr. BERGER. Mr. President, I would like to introduce to the Chair and to the Members of the Senate, eight students from the Bradford High School, who with their coaches, Messrs. Walker and Cummings, are on their way to participate in a state debating society contest in Pottstown.

The PRESIDENT. The Chair, on behalf of the Members of the Senate, would like to welcome the students from Bradford High School, and we hope you will enjoy the Session.

PRESENTATION TO LIEUTENANT-GOVERNOR DANIEL B. STRICKLER, PRESIDENT OF SENATE

Mr. HOMSHER. Mr. President, I had hoped to get through the Session of 1949 without coming to the microphone, but my colleagues on this side of the Senate have imposed upon me a pleasant duty to perform.

Mr. President, we have gone through more than four months of almost continuous Session here, and during that time, the going at times was rough. We have had to prevail upon our Presiding Officer, who has been most patient with us, and has persevered with us. During the time of the little squabbles that we get into from time to time he has been most fair in his decisions to this body.

Mr. President, the gentlemen on our side of the Senate desire to express to you in some manner, by a small token, their keen appreciation of your patience, perseverance and excellent service in presiding over the body of this Senate.

It is my pleasure, on behalf of my colleagues, to present you with this small token.

The PRESIDENT. Senator Homsher, Members of the Senate and those of my colleagues on the Majority Side, I want to thank you very much for your thoughtfulness in giving me this token. It is a remembrance of my fond association with you gentlemen, and I want to say in return that I appreciate your courtesy and your kindness in cooperating with me in presiding over this end of the desk, and in expediting the business of the Senate.

In addition to that, I want to thank you for the fine hospitality shown me while away from the desk, and on official duties around the Capitol.

PRESENTATION TO SENATOR M. HARVEY TAYLOR,  
PRESIDENT PRO TEMPORE OF SENATE

Mr. TALLMAN. Mr. President, I have a very pleasant duty to perform this afternoon, together with some of the other of my colleagues, and I want to make clear what mine is at the outset.

Mr. President, it has been the choice of my colleagues on the Majority Side that I should be privileged to make a presentation to the President pro tempore, Senator Taylor, and I want to make it quite clear that I was going to do that so that Senator Taylor, because I know that he is entirely unaccustomed to receiving gifts, both within and without the Senate, could prepare himself to answer in the very capable fashion that we are all so well acquainted with.

Mr. President, I also want to make it clear for an additional reason. When it was determined by the Members on this Side of the Senate to present Senator Taylor with a token of our esteem, behind closed doors, Mr. President, we decided that we ought not say anything at all about the hope and wish of most of the Members of this Side that Senator Taylor, State Chairman, would think of us kindly in connection with our applications for jobs over in the Auditor General's and Treasurer's office, come within a few days.

Having made that very clear, Mr. President, I would like to turn to the more serious side of the presentation, and say that those of us on the Majority Side, and I am sure not in any small measure, the men on the other side of the aisle, share our very high esteem for Senator Taylor.

Mr. President, in the performance of his official duties in the Senate, both on and off of the rostrum, he has been patient, he has been kindly, he is mindful of the many and varied different personalities that are represented in this Chamber, he has been courteous and he has been anxious to be of assistance to every Member of this Senate. Aside from his personal duties, we have had the pleasure and privilege of sharing with him many hours of good camaraderie, and for that we are mutually happy.

Mr. President, on behalf of the Members of the Majority, it is my very happy privilege to present to the President pro tempore, Senator M. Harvey Taylor, a small token of our warm affection for him, and with it goes our good wishes for continued success and a lot of happiness.

Mr. TALLYOR. Mr. President and Senator Tallman, as far as the Auditor General and State Treasurer are concerned, until May 1st, 2nd, or 3rd, I am in pretty good shape to help you fellows, but after that, I do not want to guarantee too much.

Mr. President, I want to thank you from the bottom of my heart for this gift, and especially since you gave it to me.

PRESENTATION TO SENATOR JOHN M. WALKER,  
MAJORITY FLOOR LEADER OF SENATE

Mr. T. NEWELL WOOD. Mr. President and Members of the Senate, some months ago we had a little meeting and drafted our Floor Leader, much against his wishes, to serve for us during this Session. I believe that I can truthfully say, in speaking for all of the Members of the Senate, that he has served us well and with distinction.

Mr. President, those of us on our side of the aisle have appreciated his ability and industry in caucus and here on the floor. I would also like to say, Mr. President, that he is a man of tastes, expensive tastes, and the Members of this Committee, of which I happen to be one, wish to compliment him on the selection of his gift.

Seriously, Mr. President, I am deeply honored and happy to be able to present to our distinguished Floor Leader, the gentleman from Allegheny, Senator John M. Walker, a slight token of our esteem and appreciation for his wonderful service to us this year.

Mr. WALKER. Mr. President, after looking at this wonderful gift, I might say that it is the same one I picked out. May I say, Mr. President, I would be very happy if the Senate would assign two Sergeants-at-Arms to carry it around for me.

Mr. President, it certainly has been a rare experience to be the Majority Leader in this Senate. I have enjoyed it very much, I have enjoyed the cooperation of my colleagues, I have enjoyed and appreciated their patience with what might be called and termed a wild Irish temper.

I also want, at this time, to pay my very deep respect and appreciation to my good friend, John Dent, and his colleagues, for their cooperation. I think, Mr. President, that we have had one of the quietest and most dignified Sessions that it has ever been my privilege to witness here in the Senate of Pennsylvania, and at this time I know the newspaper men who wrote those news stories, predicting what a wild Irish Donegal we would have here with Senator Dent and Senator Walker trying to tear the building down, feel kind of disappointed that the fireworks were not forthcoming.

Mr. President, I want at this time to take the opportunity to pay my very sincere respects to the personnel of the Senate who have made this job so enjoyable, and have given me so many short cuts in discharging my responsibilities.

Then, Mr. President, I come to another phase in our procedure. Every good team has a quarterback, and every good team has a coach. For years we have said, half in fun and all in earnest, "Beware of that Walker. He is 'Taylor' made". Mr. President, I have enjoyed my many years of association with Harve Taylor. I first became acquainted with him in 1934, during the gubernatorial election (it takes courage to mention that) and when the roll was called we discovered that for the first time in a generation we had lost the front office. Since that time I have learned to love and respect Harve, and he has been very patient and helpful in attempting to teach me some of the things that a person should know if he is going to discharge a public responsibility in a public office.

Then, Mr. President, at the same time that I was appointed Majority Floor Leader by the Republican Caucus, we elected a Chairman of the Caucus and a Caucus Whip. It is remarkable the assistance, the cooperation and the help that I have received from Fred Hare and Jimmy Berger.

They have been anticipatory in the discharge of their duties and in helping me get along in this office. It is not an easy task. Anybody who has served on it ought to know that at times it is so easy to make mistakes of the head, when at the same time one is trying not to make mistakes of the heart, and as a result, Mr. President, these two fellows have been remarkable in helping me, and in a way helping Harve. We have factiously called it the backfield, but it has not been by any means the "Four Horsemen", or nearly as effective, but at least, we have had remarkable teamwork.

Mr. President, the success of the efforts of this Session will have to be judged by a cauculating public after the Session has adjourned, but I want to say that in my heart the success of the cooperation of these three fellows, as far as I am concerned, is judged right now. I will never be able to repay them, I will never be able to repay the Republican Caucus, but I would like at this time, if I might, to interject and present to Fred Hare, Jimmy Berger, and Harve Taylor, a slight token as an expression of my appreciation for their cooperation.

Mr. BERGER. Mr. President, I am, of course, very grateful for the token of esteem that Senator Walker has given to me today, but I am even more grateful to the Republican Caucus, rather than for the gift, for the cooperation that they have shown to me when I was chosen to preside over the deliberations of the caucus, and for the kindness and consideration that they have shown in exhibiting forbearance to the faults which I know I have.

Mr. President, I think it would not be amiss at this time for me to thank the entire Membership of the Senate for the courtesies and kindnesses that they have shown to me during this Session, and also, Mr. President, I want to compliment as greatly as I can the work that has been done on the floor by Senator Walker, whom we selected at the outset of this Session to be our Floor Leader, and to thank Harve Taylor and Fred Hare for the very great cooperation and pleasantness that they have shown with me.

Again, I want to say, thank you, all of you.

Mr. HARE. Mr. President, Senator Walker, and Members of the Senate, I deeply appreciate this gift of brotherly love and brotherly affection in token form from the Majority Floor Leader of the Senate, Johnny Walker, and my associations with him, with Senator Taylor, and with Senator Berger, will go down in my lifetime as one of the bright spots of my life.

Mr. President, it was always a pleasure to look around the floor of the Senate and see how many votes John needed to pass a bill, and at times, I was very thankful I was trained as a school teacher, for sometimes the Senators, through forgetfulness, would leave their places, and they always reminded me when they left in such a hurried fashion—Senator Lord was faster than any 200-yard dash man I ever saw—they always reminded me of the little Amish girl up home who went with a fellow for twenty years in hopes, and finally, after twenty years, he went West, and she sat down and wrote in Pennsylvania Dutch a little squib, which reminds me somewhat of the Senators who were absent from their seats. This is what she wrote:

"My love has flew, him did me dirt,  
"I never knew he was a flirt.  
"To them in love I now forbid  
"Lest they be dood,  
"Like I've been did."

Mr. President, "I've been did well" by John, and Harve, and Jimmy Berger, and Johnnie Dent, whose word I always found to be his bond, and by the Members of the Republican Caucus and the Members of the Democratic Caucus as well. To them, Mr. President, I extend my humble thanks and deep appreciation.

#### PRESENTATION TO SENATOR JAMES S. BERGER, CHAIRMAN OF REPUBLICAN CAUCUS

Mr. WATSON. Mr. President, I, too, have a very happy duty to perform. The Republican Caucus has been honored during this Session by having as their Chairman the gentleman from Potter, Mr. Berger. Jimmy has worked very hard, and in spite of the many hours he has put in, he has been fair, he has been even kind with us when we got a little unruly, and so on behalf of the Republican Caucus, Senator Berger, a swell fellow, we want to present to you this slight token of the appreciation of our association with you.

Mr. BERGER. I just want to say one thing in addition to the remarks I made a few moments ago. This reminds me somewhat of the closing moments of the Session of 1945, when one of the Senators on the Democratic Side, at about four o'clock in the morning, made a very splendid address on a bill in which he was interested. There were only a few of us in the Chamber at the time, and we applauded heartily, and he made the same speech over again, word for word.

I certainly thank the Members of the Republican Caucus for this token of their good will.

#### PRESENTATION TO SENATOR FRED P. HARE, JR., MAJORITY WHIP

Mr. MAHANY. Mr. President and Members of the Senate, the gentleman from Allegheny, Senator Walker, gave my speech a little while ago because I was supposed to tell you how we of the Senate feel about the gentleman from Somerset, Mr. Hare.

Mr. President, I think it is quite appropriate that they did pick on the Senator from Crawford County to do this job for the Senator from Somerset because, perhaps, and I think I can say without any contradiction, that Crawford County is the only county in the state of Pennsylvania which produces better maple syrup than Somerset County. I also was very fortunate when we went out on that little party and drafted Senator Walker for our Majority Floor Leader in that they left one job nobody seemed to think about, and that was the Majority Whip. So, at the opportune time, I was fortunate in getting up and nominating my good friend, Senator Hare, for that job, and I think it can also be said without any fear of contradiction that the Senator from Somerset has done a very fine job.

Mr. President, I noticed in the dictionary that the word "whip" is defined as one who belabors by some stinging language, and I know that he has not done that, but it also means one who has preserved party harmony and who has seen that the Members of the Legislature of his particular party are in their seats at the proper time.

Mr. President, the job of Majority Whip has been considered to be more or less of a lowly one, but he has made a great thing of it. He had installed on his desk a lighting arrangement, with telephone communication,

and so on, and that thing lights up like one of Murray Peelor's sparklers, and I know that it has been of considerable aid to Senator Hare in preserving decorum.

Mr. President, to show Senator Hare that we all feel very kindly toward him for the job he has done, without using these stinging words, I want to present to him, on behalf of my colleagues, this small token. I hesitate to present it to him right now after that lavish gift which he got from the Majority Floor Leader. By comparison, this perhaps is not quite as large, but it carries the hearts of all of us with it.

Mr. HARE. Senator Mahany and Members of the Pennsylvania Senate, the Whip, at the close of the Session, has sort of lost his snap.

Johnny Walker has aptly said that he is "Taylor made," and I suppose, as a result of the Hershey Caucus, I am "Mahany made."

Mr. President, it was my privilege this week to run second best to Rowland Mahany when he was selected by our colleagues at one of our dinners as the champion in his given field, and I want to pay tribute to him, not only as a grand colleague, but as a champion in his own right. However, he had no business to insert county colloquialisms in this discussion by bringing up the merits of Crawford and Somerset Counties. Anyone who reads history knows that Somerset is the grandest county in the state, famous for its red barns, its green grass, and its beautiful women, and maple sap isn't the only thing that flows there.

Mr. President, at the risk of becoming repetitive, I do want to thank the grand Members of the greatest club on earth for this token of their love and appreciation.

#### PRESENTATION TO SENATOR A. EVANS KEPHART, SECRETARY OF REPUBLICAN CAUCUS

Mr. WATKINS. Mr. President, I have the honor and privilege today of rising to pay tribute to a great colleague. It certainly is a pleasure to be here today under these circumstances.

Mr. President, we have in our midst the gentleman from Philadelphia, Senator Kephart, who has served as our Entertainment Chairman during this whole Session, and as Secretary of the Caucus. I want to say that I do not think any man has worked any harder to serve the Members of this great Assembly than our friend, Senator Kephart.

Mr. President, I found myself just last week singing in the bathroom. The theme song of the Senate is very dear to my heart, as well as the rest of my colleagues, and I think that is accomplishing a great bit. When men can sing in the bathrooms, they have happy hearts, and certainly he was instrumental in a great part for it.

Mr. President, I have had the pleasure of eating some wonderful food that he planned, I have had the pleasure of seeing him amend bills, and amend bills, and amend bills for the sake of all of us, and I think Senator Kephart has contributed a great deal to the benefit of his fellow colleagues by the tireless work that he has displayed, and he is tired quite a bit.

Mr. President, it is my privilege to present to my friend, Senator Kephart, a small token of appreciation from his colleagues. We all wish him well, and hope that he will be back with us next year to continue with his good work.

Mr. KEPHART. Mr. President, I sort of got wind a couple hours ago that Senator Watkins was going to make this presentation, and I have been quite worried during that length of time. I did not know whether I was going to get it or not.

Mr. President, I want to express my appreciation to Senator Walker also for having such expensive tastes; aside from that, I wouldn't have had it either. There is a little secret between a few of us.

Seriously speaking, Mr. President, I desire to thank all of the Members of the Senate for all the help they have given me in the trials and tribulations that I have put them through with regard to the legislation for Philadelphia. I want to say that aside from that, for which I am deeply appreciative, I also appreciate the good fellowship of you men in the Senate. As Fred Hare said, it is the greatest club in the world, and I am certainly glad to be a part of it, and hope, too, that I will be back with you next Session. If I am not, I will certainly be here in spirit, and maybe I will get up and sing for you once in a while.

#### PRESENTATION TO SENATOR JOHN H. DENT, MINORITY FLOOR LEADER, SENATOR JOHN J. HALUSKA, MINORITY WHIP, AND SENATOR FRANK W. RUTH, CHAIRMAN OF DEMOCRATIC CAUCUS.

Mr. ROSENFELD. Mr. President, this is the pause, fortunately, that occurs at every Session, and it is a very pleasant refresher for all of us. Here we are fifty-one of us from different walks of life, from different localities of the Commonwealth, of different backgrounds, different characteristics, and different temperaments, with only three things holding us together. First, our political ideologies, secondly, our feelings for each other as men, and finally, the total sympathy we have for each other knowing what we must suffer in the course of a Legislative Session.

Under the circumstances, on behalf of my colleagues on this side of the House, we want all of our colleagues to know that we share in the joy of giving and receiving by any Member of this body. More specifically, it affords me extreme pleasure, and I deem it a personal honor, to be asked to make a few presentations to the leaders on this Side of the Senate, where with fifteen different factions to contend with, our Minority Leader, our Minority Whip, and the Chairman of our Caucus, have been able to maintain a solid front on matters that required strong discipline. If, under these circumstances, they have been able to teach us that notwithstanding our differences of opinion, and no matter how deeply they cut, we must learn and have learned to live together and respect each other, then they certainly deserve the praise that men reserve for each other only where their finest sensitivities are touched.

Mr. President, in this momentary surcease from our arduous duties which may perhaps lessen the feeling of turmoil in the dying moments of this Session, I am extremely pleased, on behalf of my colleagues, to present to our honored leader a gift of a chime clock. Its beauty is surpassed only by the beauty of the spirit in which it is given, and in its tolling of time in the years to come, I know Johnny Dent will look at it longingly and lovingly, and if turning the hands of time back to moments like these will add to his happiness, he has our permission to turn the hands back.

Mr. President, to our Minority Whip, Senator Haluska, whose genial nature and amiability have had more than a little to do with the successful operation of this Side of the House, I have the pleasure to present to him a beautiful pitcher and tray. We hope that he, too, in the course of time will know the deep spirit attached to this presentation.

I do want to caution him, however, by warning him that unlike the pitchers of the Pittsburgh Pirates, who may from time to time be knocked out of the box, this one has such perfect control that it need never be taken out or traded.

Mr. President, to Reverend Ruth, Chairman of our Caucus, whose spiritual and kindly feelings were needed to keep us together, I offer the thanks of all of my colleagues. We jumped the gun with Senator Ruth, and presented our gift to him at our Caucus. We know he will use it well.

Mr. President, may these of my colleagues make use of these tokens of our real and sincere appreciation in good health and happiness for many, many years to come.

Mr. DENT. Mr. President and Members of the Senate, it goes without saying that I deeply appreciate the spirit displayed here this afternoon. I was a little bit afraid at first because, in proportion to the representation in the Senate, when they gave Senator Walker the golf clubs, I was wondering what I was going to get. However, Mr. President, sitting over here during the presentations, I was wondering to myself, here we are fifteen Members over here, and I know that all of us, each of the fifteen Members, dreams of the time when we will be thirty-five, and they will be fifteen. Then I started to think, now, who would I eliminate, who would I strike off the list, and as I look around the Senate and see the smiling and friendly faces of the opposition, at the present moment, with the feeling that I find in my heart, I'll be darned if I wouldn't want to keep it just as it is.

Now, some other time, of course, in the heat of a debate, I would probably wish there were no Republicans here. However, at this moment I cannot think of a place in the whole world where I would rather be, and I can't think of anybody I would rather be with.

Mr. HALUSKA. Mr. President, I want to thank my colleague for the kind thoughts which go with the gift that was just presented to me. I shall cherish it as long as I live, but beyond the gift is the memory of the spirit in which it is given and that will be a happy memory to me until my dying day.

Mr. RUTH. Mr. President, Members of the Democratic Party, and Members of the Senate, I have been here for quite a long time, but this is the first time in my twenty sessions that I was on the receiving end of a gift, and since the Caucus gave me my gift this week in the form of a check, I determined to use it and share it with the one who has made my being here possible and with whom it will be forty years this coming Sunday that we walked together through life. So, I shall be very happy to share it with her because she has made my work possible in being patient and carrying on with my work at home when I was here.

I want to thank you sincerely.

Mr. WALKER. Mr. President, I deeply appreciate the suggestion from my associate on the other side of the aisle, and I know my Republican Colleagues will not feel

it amiss if I share my gift with my good friend, Johnny Dent. He asked for it, and he will get it.

(At this point, Senator Walker tossed several golf balls over to the Minority Floor Leader, Senator Dent.)

## BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 26, entitled:

An Act to reenact section four of the act, approved the fourth day of April, one thousand seven hundred ninety-eight (2 Smith Laws 331), entitled "An act limiting the time, during which judgment shall be a lien on real estate, and suits may be brought against the sureties of public officers," relating to the time suits may be brought against sureties of public officers.

House Bill No. 138, entitled:

An Act providing for the payment of moneys to political subdivisions the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the purpose of securing the payment or repayment of money due the Commonwealth.

House Bill No. 140, entitled:

An Act to further amend section one thousand four hundred two of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," defining the residence of certain children living upon State owned property and providing for certain Commonwealth reimbursements.

House Bill No. 182, entitled:

An Act to amend section one of the act approved the fifth day of July one thousand nine hundred forty-seven (Appropriation Acts page 53 Act No. 62-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the Commonwealth and the amount of the total appropriation

House Bill No. 195, entitled:

An Act to amend article eleven of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by providing for restitution in offenses against personal property.

House Bill No. 395, entitled:

An Act authorizing the conveyance of the interest of either former spouse after a divorce to the other without the joinder of the other, of such former spouse's interest in real estate which is held by them as tenants by the entirety; and validating such conveyances formerly made.

House Bill No. 417, entitled:

An Act to amend section four hundred thirteen and to add section four hundred thirteen point one to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code" by further penalizing the furnishing of false or libelous statements or matter for publication or broadcast.

## House Bill No. 418, entitled:

An Act to add section four hundred eighteen to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by creating an additional crime of loitering and prowling at night.

## House Bill No. 486, entitled:

An Act to further amend section seven hundred nineteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by changing the dog training period.

## House Bill No. 519, entitled:

An Act to further amend section nine of the act, approved the thirty-first day of March, one thousand eight hundred sixty (P. L. 427), entitled "Criminal Procedure Act of 1860," by providing for the entry of nolle prosequi in certain fraudulent conversion cases.

## House Bill No. 535, entitled:

An Act defining and prohibiting unfair sales of cigarettes; conferring powers and imposing duties on the Department of Revenue and on persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; providing for the suspension and revocation of Cigarette Tax Permits; and providing remedies and penalties for violations.

## House Bill No. 701, entitled:

An Act to further amend section one thousand one hundred three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by authorizing the State Council of Education to fix qualifications of assistant county superintendents.

## House Bill No. 861, entitled:

An Act to amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employees and imposing penalties" by continuing the mercantile license and tax for the year one thousand nine hundred and fifty and succeeding years in school districts of the first class.

## House Bill No. 862, entitled:

An Act to amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employees and imposing penalties" by continuing the provisions of the act for 1950 and succeeding years and by imposing certain duties on school treasurers in certain school districts of the first class and relieving county treasurers of certain duties under this act.

## House Bill No. 886, entitled:

An Act to amend section five of the act, approved the twenty-first day of June, one thousand nine hundred thirty-seven (P. L. 1944), entitled as amended "An act providing for the erection, construction and equipment of a new Pennsylvania Industrial School, to take the place of the present Pennsylvania Industrial School at Huntingdon; designating the manner of acquiring or setting aside of land for the erection and construction of the new school by The General State Authority; authorizing the Commonwealth to lease the new school and its grounds from The General State Authority upon its completion; providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon; creating the Board of Trustees of the Pennsylvania Industrial School; defining its powers and duties, and conferring powers, and imposing duties upon certain State departments, boards, commissions, and officers," by further prescribing the length of term a person can be imprisoned in said institution.

## House Bill No. 925, entitled:

An Act to amend subsection (a) of section nine hundred thirty-eight of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by increasing the number of permits for special dog training areas throughout the Commonwealth.

## House Bill No. 932, entitled:

An Act to further amend section thirty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by providing that salaries of tax collectors, their deputies, clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes, and requiring certain payments by the taxing districts.

## House Bill No. 1025, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "Public School Code," by further providing for salaries for teachers of applied art and vocational subjects.

## House Bill No. 1069, entitled:

An Act to provide for the creation within the Department of Public Instruction of a Division of Radio and Audio-Visual Education; establishing within such Division a lending and exchange library of records, transcripts, scripts, films, slides, projectors and other necessary equipment and material; imposing certain duties upon the Superintendent and Department of Public Instruction; and making an appropriation.

## House Bill No. 1070, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 947), entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class," by correcting an error in the salary of the coroner.

## House Bill No. 1107, entitled:

An Act to amend section two hundred fifteen and to further amend section two hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by changing the method of filling vacancies in the boards of school directors, in certain cases.

House Bill No. 1189, entitled:

An Act to amend section twelve of the act, approved the sixth day of April, one thousand nine hundred thirty-seven (P. L. 200), entitled "Pawnbrokers License Act," by further regulating certain permissible charges.

House Bill No. 1303, entitled:

An Act making an appropriation to the Lancaster Heart Association, to be used for carrying on its purposes of research study treatment prevention and care of rheumatic fever and diseases of the heart; to provide convalescent care and hospital treatment in such cases; and for renovation and equipment of real property.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

### HOUSE MESSAGE

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 265

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 27, 1949

Resolved, (If the Senate concur), That House Bill No. 265, Printer's No. 138, entitled:

An Act to further amend clause (j) of section two thousand four hundred six of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by further regulating the distribution to the public of documents published by the Department of Property and Supplies.

be recalled from the Governor for the purpose of further amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

### COMMUNICATION

The CHAIR cleared his table and laid before the Senate the following communication, which was read by the Clerk:

April 27, 1949

Honorable M Harvey Taylor  
President Pro Tempore,  
Senate of Pennsylvania  
Harrisburg, Pennsylvania  
Dear Senator Taylor:

It is my wish to express my gratitude to each and every member of the Senate for making it possible for me to serve the ills of the members of the General Assembly.

I assure you my work has been extremely pleasant and I am grateful to all of you for your many kindnesses shown me.

Respectively,

ESTHER FEISER, R. N.

#### HOUSE BILL NO. 695 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time House Bill No. 695, on the Second Reading Calendar.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 695, entitled:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-seven (P. L. 318) entitled "An act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation or such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws" by prescribing educational and experience qualifications necessary for right to take examination and regulating use of the word "certified" or any abbreviation thereof or its initial letter.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. T. NEWELL WOOD offered the following amendments:

Amend Sec. 1, page 2, line 1, by inserting after the word "three" "and"; Amend Sec. 1, page 2, lines 1 and 2, by striking out the words "and clause (6) of section five"; Amend the Bill, page 5, by inserting, between lines 11 and 12, the following: "Section 2. Said act is hereby amended by adding after section four a new section to read as follows: Section 4.1. Certificates to Experienced Accountants—Anything in this act to the contrary notwithstanding in lieu of the education and examination requirements established by this act the board may accept in the case of applicants who have reached the age of forty years evidence of fifteen years' experience in the intensive application of accountancy principles and auditing procedures. Upon approval of any such application the board shall issue the applicant a license upon payment of the fee fixed by the department.

Section 3. Subsection (6) of section five of said act is hereby amended to read as follows."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. T. NEWELL WOOD offered the following amendment:

Amend Sec. 2, page 5, line 17, by striking out the figure "2" and inserting in lieu thereof "4."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. T. NEWELL WOOD offered the following amendment:

Amend Title, page 2, next to last line of Title, by inserting after the word "examination" the following: "providing for the issuance of licenses as certified public accountants to experienced persons under certain circumstances."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. LORD, JR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LORD, JR. Mr. President, it has been my extreme pleasure during this Session of the Senate to act as Chairman of the Committee on Executive Nominations. As Chairman of that Committee, it has also been my pleasure to present to the Senate many able and outstanding men for various positions of honor and trust in the Commonwealth of Pennsylvania.

Mr. President, today I have a distinct privilege in presenting a nominee of His Excellency, the Governor, for a position of honor and trust in the Commonwealth, and I just want to take a moment of my colleagues time to say that the committee report I am about to make today, with favorable recommendation, is on a man I have known for almost thirty years. He and I went to night school in order to pass a preliminary examination, Mr. President, to be entitled to register as law students and eventually become lawyers. We were successful jointly in passing the preliminary examination, and thereafter for four years at night we went to law school in the city of Philadelphia. We took the bar examination together and became lawyers together.

Since that period of time, or during the time we were going to night school studying law, we were both stenographers in law offices. Since that period of time we have been associated together in the practice of law in the same office, where the Honorable Francis Shunk Brown, Jr., former Attorney General of Pennsylvania, was our preceptor and guide.

Mr. President, little did I know, thirty years ago, that my colleague and friend, and he is a friend, would be nominated for this very high office, and that I would have the privilege of being the Chairman of the Committee on Executive Nominations in the Senate of Pennsylvania, and that I would have the distinct honor, Mr. President, to present his name as one of the nominees of His Excellency the Governor.

Mr. President, as I said, I presented many other able men, but this man I have known personally, and I am sure he is going to serve with distinction, with trust and with fidelity.

Therefore, Mr. President, it is again with a great deal of pleasure that I say to you that I have been directed by the Committee on Executive Nominations to report the name of Arthur P. Bretherick, of Delaware County, for appointment as Judge of the Court of Common Pleas of the Thirty-second Judicial District, with favorable recommendation.

Mr. WATKINS. Mr. President, I would like to add a few remarks to the remarks made by the gentleman from Philadelphia, Senator Lord, concerning my good friend, Arthur P. Bretherick. I want to say, Mr. President, that I have known Arthur Bretherick for over twenty years. I

think he is one of the most outstanding Americans that I have ever met. He has worked tirelessly for the Republican Party ever since the very inception of my entrance into Delaware County.

Mr. President, Arthur Bretherick is a man of great knowledge. He has served in this great Legislature for three terms. He has been Register of Wills in our county, and he has been our County Chairman for the last six years. It is, indeed, a great day for me to be able to stand here in my humble way, and say a few words in reference to Arthur Bretherick. He is loved by all of us in Delaware County.

I might add that, too, in selecting Arthur P. Bretherick to this great honor as Judge of the Common Pleas Court, he was nominated by the Supervisors of Delaware County unanimously. I understand there was not one single vote against him, and I understand that while there were three other names mentioned for judge in our county, every one withdrew and said that they would not be a candidate if Arthur Bretherick wanted the position.

I think, Mr. President, that this body here today has confirmed a great man. I know he will be a credit to the bench in Delaware County, and a credit to the State of Pennsylvania.

Mr. LORD, JR., from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor of the Commonwealth:

#### JUDGE OF THE COURT OF COMMON PLEAS OF THE THIRTY-SECOND JUDICIAL DISTRICT

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, April 27, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arthur P. Bretherick, 12 Golf Road, Lansdowne, Delaware County, for appointment as Judge of the Court of Common Pleas of the Thirty-second Judicial District, composed of the County of Delaware, until the first Monday of January, 1950.

JAMES H. DUFF.

#### CONSIDERATION OF EXECUTIVE NOMINATION RULE 38 SUSPENDED

By unanimous consent,

A motion was made by Mr. LORD, JR. and Mr. WATKINS,

To grant unanimous consent to immediate consideration of the nomination just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. LORD, JR. and Mr. WATKINS,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. LORD, JR. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

## HOUSE MESSAGE

HOUSE CONCURS IN RESOLUTION RECALLING  
FROM THE GOVERNOR SENATE BILL NO. 688

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 27, 1949.

Resolved (If the House of Representatives concur) That Senate Bill No. 688, entitled:

An Act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" establishing one procedure for changing altering or establishing the width lines locations or grades of State highways in townships and boroughs and incorporated towns.

be recalled from the Governor for the purpose of amendment.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for fifteen minutes, in order to permit the gentleman from Cambria, Senator Haluska, to entertain the Members of the Senate and their guests.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to,

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

## SECOND READING CALENDAR

## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 399, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing the change of the fiscal year by districts of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 430, on second reading, entitled:

An Act to amend the title and sections two and four of the act approved the third day of June one thousand nine hundred forty-three (P. L. 847) entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council providing for the repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and making an appropriation" authorizing the State Council to purchase own install maintain and lease equipment and accessories for other suitable business enterprises for the blind and making an additional appropriation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 478, entitled:

An Act to further amend section one thousand four hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 443), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," further defining the right of the Department of Revenue

to release liens for taxes, interests, penalties and other accounts due the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 536, entitled:

An Act to add section two thousand five hundred eleven point one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for annual payments for the Commonwealth to school districts erecting or sharing in the erection of a building or buildings or providing educational facilities under provisions of the State Public School Building Authority Act and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that House Bill No. 548, on second reading, entitled:

An Act to amend the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 616) entitled "An act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws" by changing the provisions thereof and rights obligations and procedure therein.

be recommended to the Committee on Rules.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

#### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 557, entitled:

An Act to prohibit the killing of red foxes by certain methods in Chester County and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 628, entitled:

An Act to amend section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by excluding from the definition "roadside menagerie" any animal exhibition at a county fair or any such exhibition when sponsored by any sportsmen's organization with the approval of the Pennsylvania Game Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 665, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the furnishing of free transportation or board and lodging in certain boroughs and reimbursement by the Commonwealth therefore and validating Commonwealth reimbursement heretofore made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 755, entitled:

An Act to reenact and amend the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1476) entitled "An act authorizing the Joint State Government Commission to study the educational facilities and needs of the citizens in certain educational fields the financing administration and other features of collegiate institutions prescribing the powers and duties and making an appropriation" by authorizing continuation of the study and reappropriating unexpended balance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 809, entitled:

An Act to amend section one of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by exempting from the provisions of said act explosives stored and used in connection with coal mines and coal mining operations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 814, entitled:

An Act fixing the fees and mileage of the coroner in counties of the sixth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 926, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payments to beneficiaries and for the care and disposition of its funds and providing for the transfer and payments of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by regulating service for pensions and eligibility for pensions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 980, entitled:

An Act to amend sections two and thirteen of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties," by changing license fee provisions; providing for payment of fees and fines to the various municipalities; and empowering burgesses to try violators.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1047, entitled:

An Act providing for the enforcement of foreign judgments by the registration thereof in the courts of this Commonwealth prescribing procedure for the obtaining of jurisdiction over the judgment debtor the raising of defenses thereto appeals therefrom and execution thereon and saving existing methods of enforcing the same.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1052, entitled:

An Act merging and consolidating State housing with State planning merging the State Board of Housing with the State Planning Board establishing a State Planning Code and repealing certain acts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1053, entitled:

An Act to amend the title and further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions, and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" by extending the act to all cities changing the scope of the field of operation of a county authority providing for the use of State grants or contributions towards payment of bonds and interest and as additional pledge therefor and transferring the administration of the act from the State Board of Housing to the State Planning Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1054, entitled:

An Act to amend the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their

powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by substituting the State Planning Board for the State Board of Housing.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1055, entitled:

An Act providing and regulating State assistance including slum clearance and redevelopment and making an appropriation.

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 3, page 6, line 10, by striking out the word "street" and inserting in lieu thereof: "streets."

It was agreed to.

The section was agreed to as amended.

The fourth, fifth and sixth sections were read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 7, page 10, by inserting between lines 12 and 13 the following: "The total amount of all grants made by the State Planning Board for slum clearance and redevelopment pursuant to section four (b) of this act shall not exceed thirty per cent of the amount appropriated by this act."

It was agreed to.

The section was agreed to as amended.

The eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WALKER offered the following amendment:

Amend Title, page 1, line 1 of Title, by inserting after the word "assistance" the following: "for housing."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1056, entitled:

An Act to amend the title and sections three fourteen and twenty-one of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 704) entitled "An act to promote the public health safety morals and welfare by providing for the creation of corporations to be known as limited dividend housing companies for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to be let at reasonable rentals or sold providing for the acquisition of property by the exercise of the power of eminent domain through the State Board of Housing providing for the supervisions and regulation of the activities of such companies by the State Board of Housing in the Department of Health and regulating the supervision by the State board of any such companies aided by the Federal Government or agencies thereof defining the rights powers and duties of such companies and of persons investing in or dealing with such companies authorizing such companies to lease and operate or to manage projects of any housing authority and borrow money from agencies of the United States Government exempting all such companies from the payment of any capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions authorizing certain existing companies to accept the provisions of this act and repealing inconsistent acts" by transferring supervision and regulation of such companies to the State Planning Board

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1057, entitled:

An Act to amend sections three and four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-seven (P. L. 888) entitled "An act to authorize cities boroughs towns townships counties and other public bodies to aid housing projects of housing authorities or of the United States of America by furnishing parks playgrounds streets and other improvements and facilities by exercising certain other powers and by making agreements relating to such aid to authorize cities boroughs towns townships and counties to contract with respect to the sums to be paid them for improvements services and facilities to be provided for the benefit of housing projects and the occupants thereof to authorize certain cities and counties to make an appropriation for the first years' administrative expenses of housing authorities and to authorize certain cities boroughs towns and counties to pay moneys to housing authorities" by removing and ambiguity as to the powers of a State public body with respect to long term agreements and changing definition of term "Housing Project"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1058, entitled:

An Act to amend sections four and six of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 982) entitled "An act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties" by removing any ambiguity as to the powers of a State public body with respect to long term agreements and permitting State public bodies to issue bonds to provide funds for local contributions required by Federal law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1059, entitled:

An Act to further amend section four hundred fifty-one and to amend section two thousand five hundred two B of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administration work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by reconstituting the State Planning Board and changing its functions

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1062, entitled:

An Act to further amend section two thousand seven hundred eighteen of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs," by authorizing boroughs to make appropriations from the general borough funds for recreation purposes

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1109, entitled:

An Act to further amend subsection (d) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primaries and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by increasing the compensation of judges of elections

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1136, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1137, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1173, entitled:

An Act to amend sections six and twelve of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employe retire-

ment system in counties of the fourth class imposing certain charges on counties and fixing penalties" authorizing the transfer from the one one-hundred-twentieth (1/120) to the one one-hundredth (1/100) class of members contributions at the option of the retirement board and adjusting the county annuity that on superannuation retirement upon such transfers

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1174, entitled:

An Act to amend section five and to further amend section eleven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An Act providing for the creation maintenance and operation of a county employees retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" authorizing the transfer from the one one-hundred-twentieth (1/120) to the one one-hundredth (1/100) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement upon such transfers

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1216, entitled:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes of certain political subdivisions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1222, entitled:

An Act to further amend section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' Retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by granting per diem and other legislative employees now State employees credit for such legislative service

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1317, entitled:

A supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners extending the jurisdiction powers and duties of The Delaware River Port Authority and defining such additional jurisdiction powers and duties conferring power of veto upon the Governor to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Section 1, page 17, line 3, by striking out the bracket after the word "the" and before the word "Legislatures"; amend Section 1, page 17, line 3, by striking out the bracket after the word "Legislatures" and before the word "Governor"; amend Section 1, page 17, line 3, by striking out after the bracket following the word "Legislatures" and before the word "of" the following: "Governor"; amend Section 1, page 17, line 5, by striking out the bracket at the beginning of the line before the word "Legislatures"; amend Section 1, page 17, line 5, by striking out the bracket after the word "Legislatures" and before the word "Governors"; amend Section 1, page 17, line 5, by striking out after the bracket following the word "Legislatures" and before the word "authority" the following: "Governors"; amend Section 1, page 17, line 9, by striking out the bracket at the beginning of the line before the word "Legislatures"; amend Section 1, page 17, line 9, by striking out the bracket after the word "Legislatures" and before the word "Governors"; amend Section 1, page 17, line 9, by striking out after the bracket following the word "Legislatures" and before the word "of" the following: "Governors"; amend Section 1, page 17, line 11, by striking out at the end of the line after the word "thereon" the following: "The Governor of each State shall within sixty (60)"; amend Section 1, page 17, by striking

out lines 12 to 15 inclusive; amend Section 1, page 18, line 11, by striking out at the end of the line after the word "include" the following: "marine motor truck railroad air and"; amend Section 1, page 18, by striking out line 12; amend Section 1, page 18, line 13, by striking out at the beginning of the line before the word "all" the following "and"; amend Section 1, page 18, line 14, by inserting at the end of the line after the word "freight" the following: "by water or air"; amend Section 1, page 18, line 15, by striking out at the end of the line after the quotation mark following the word "include" the following: "railroads operated by steam"; amend Section 1, page 18, by striking out line 16; amend Section 1, page 18, line 17, by striking out at the beginning of the line before the word "tunnels" the following: "other street or highway vehicles"; amend Section 1, page 18, line 17, by striking out at the end of the line after the word "boats" the following: "ferries"; amend Section 1, page 18, line 19, by striking out at the end of the line after the word "kind" the following: "aircraft and every kind of transportation facility now in"; amend Section 1, page 19, by striking out lines 1 and 2; amend Section 1, page 19, line 5, by striking out at the end of the line after the word "stations" the following: "grain"; amend Section 1, page 19, line 6, by striking out at the beginning of the line before the word "tracks" the following: "or other storage elevators warehouses cold storage"; amend Section 1, page 19, line 7, by striking out after the word "coal" and before the word "and" the following: "oil"; amend Section 1, page 19, line 8, by striking out at the end of the line after the word "stations" the following: "markets and every kind of terminal storage or supply"; amend Section 1, page 19, line 9, by striking out at the beginning of the line before the word "to" the following: "facility now in use or hereafter designed for use"; amend Section 1, page 19, line 10, by striking out after the word "handling" and before the word "loading" the following: "storage"; amend Section 1, page 19, by striking out lines 12 to 16 inclusive.

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WALKER offered the following amendments:

Amend page 2, line 10 of the title, by striking out after the word "of" and before the word "upon" the following: "veto" and inserting in lieu thereof the following: "approval"; amend page 2, line 10 of the title, by striking out at the end of the line after the word "the" the following: "Governor" and inserting in lieu thereof the following: "Legislature."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

## BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1329, entitled:

A9n Act making an appropriation to the Department of Property and Supplies for the purpose of acquiring by gift or purchase on behalf of the Commonwealth the Codorus Forge and Furnace in Hellam Township York County

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1330, entitled:

An Act to amend section one of the act approved the twenty-fourth day of March one thousand nine hundred forty-nine and designated as Act No. 24 (P. L. ) entitled "An act to reenact and further amend the title and the act approved the fourteenth day of May one thousand nine hundred forty-seven (P. L. 249) entitled as amended 'An act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared used sold transported or delivered within the Commonwealth and by others requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks and providing penalties' by further regulating the procedure and the jurisdiction of the Department of Revenue and of the Board of Finance and Revenue relative to claims for refunds and by extending the provisions thereof for a further limited period of time" by inserting the words carbonated waters in and further clarifying the definition of syrups and bottled soft drinks and by extending the period of time during which the department may advance tax crowns or stamps in certain cases

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. TARR. Mr. President, I know the hour is late, but I want to take a moment here to make an observation before House Bill No. 1330 passes second reading.

Mr. President, in looking over this bill on my desk, I find that this is an act to amend Section 1 of the Act of 1949, and then upon reading over the bill, I find that there are thirty-two pages which contain only five words.

Now, Mr. President, I recognize the fact that in order to amend a section, that act must be on the books, but so that we might save the time tomorrow, it is my firm opinion that the act known as the "Pop Tax Act," passed by this Legislature early in the Session, has been found to be defective, and by voting for this bill, the majority of us, if we are going to tax soft drinks, would like to see fizz water in the bill. However, this bill is so drawn that in voting for the amendments to this bill, I think we are going to vote for the pop tax in toto.

Mr. President, I have been wrong on other occasions—the Majority Floor Leader shakes his head—but I cannot for the life of me see why we have a thirty-two page

bill reenacting many sections which are not to be changed at all by House Bill No. 1330.

Mr. President, I am merely talking about it today, because I want to call it to the attention of the Membership so that they might give some study to the bill before it comes up for final passage tomorrow.

Mr. WALKER. Mr. President, may I refer the gentleman from Fayette, Senator Tarr, to a very distinguished Member of the Philadelphia Bar, Senator Rosenfeld, who, although he may have been fooled by the gentleman from Cambria, Senator Haluska, is never fooled by the law.

I am sure that Senator Rosenfeld will explain to the gentleman from Fayette that lawyers move in mysterious ways, and I am sure the gentleman from Philadelphia will explain to the gentleman from Fayette that notwithstanding the fact that this bill contains thirty-two pages, I am sure he does not need to worry about reenacting the pop tax, and he can vote for this with a clear conscience, knowing that he will be joined by a large group of his colleagues.

Mr. TARR. Mr. President, I thank the gentleman from Allegheny, Senator Walker. I might vote for it, but not with a clear conscience.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

#### BILL DROPPED FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I move that House Bill No. 365, on second reading, postponed, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for any person to hunt with any shotgun or rifle when such firearm is loaded with live ammunition in either the chamber or magazine if the firearm is ready to be discharged by normal finger pressure on the trigger or if the safety device or mechanism is in the "off safe" position except during the momentary interval of time necessary to discharge such firearm and providing penalties

be dropped from the Calendar.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, as the Floor Leader for the Majority Party, in making the motion to drop this bill from the Postponed Calendar, I want to say that I do so with by very deepest and sincere respect to a fine Pennsylvanian, John M. Phillips of Allegheny County, who has attempted for years to get this particular bill through the General Assembly.

Mr. President, I have had the privilege of sponsoring this identical measure at several other Sessions, but it is a little difficult to get the sportsmen's organizations convinced that this is good legislation. Nothing creates a greater difference of opinion than legislation of this type. Some men sincerely believe that this is not good legislation, while others think it is a very fine safety measure.

Mr. President, I want to say to John Phillips that we will try again in 1951.

Mr. ROSENFELD. Mr. President, whenever in the

course of our legislative work I note on the Calendar an amendment to the Fish Code or the Game Code, I get a queer feeling in my throat that takes me back some ten years ago when I was first sent out to help the Legislative Reference Bureau.

Believe it or not, on my first day there, a very excitable, newly elected Member of the House of Representatives, a sportsman, was assigned to see me about preparing a host of amendments to the Fish Code and the Game Code. He came in and sat down with me at one o'clock, and he talked to me about changes until five-thirty that afternoon. I made many, many notes, and by five-thirty the gentleman was calling me by my first name, and when we were through he turned to me, looked at me and said, "Max, have you ever gone hunting?" and I said, "No." He said, "Have you ever gone fishing?" and I said, "No." He said, "How do you know what I have been talking about all afternoon?" and so I said to him, "Who knows what you have been talking about all afternoon?"

Mr. WALKER. Mr. President, I want to say to the gentleman from Philadelphia that if you get the sportsmen together, they will argue about every issue involved in hunting or fishing.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

#### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from his Excellency, the Governor of the Commonwealth, which was read as follows:

#### APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 688, PRINTER'S No. 349

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 688, Printer's No. 349, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

The PRESIDENT. The bill will be laid on the table.

#### SENATE BILL No. 688 RECALLED FROM THE GOVERNOR, TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 688, recalled from the Governor for the purpose of amendments.

#### RECONSIDERATION OF SENATE BILL No. 688

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 688, entitled:

An Act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by

the Department of Highways relating thereto" establishing one procedure for changing altering or establishing the width line locations or grades of State highways in townships and boroughs and incorporated towns.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority?

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 2 (Section 511), Page 5, Line 7, by striking out the word "location;" Amend Section 2 (Section 511), Page 5, by inserting a bracket before Line 12 and by inserting a bracket after Line 19.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 688, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### HOUSE BILL NO. 872 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time House Bill No. 872, which was passed over in its order temporarily.

### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 872, entitled:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupation for county borough town township school and poor

purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by providing for annual assessments abolishing triennial assessments providing for fixing of salaries of subordinate assessors limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made and making assessments applicable to taxation for institution district purposes and imposing duties on persons acquiring title to realty contractors and building inspectors.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, last three lines of Title, by striking out all of said lines, and inserting in lieu thereof the following: "providing for the preparation of duplicates"; Amend Sec. 1 (Sec. 7), page 5, line 15, by striking out the word "fifteenth" and inserting in lieu thereof: "first"; Amend Sec. 1 (Sec. 7), page 5, line 16, by striking out the word "September" and inserting in lieu thereof: "November"; Amend Sec. 1 (Sec. 7), page 6, line 9, by striking out the word "October" and inserting in lieu thereof: "December"; Amend Sec. 2 (Sec. 8), page 7, line 9, by striking out the word "November" and inserting in lieu thereof: "January"; Amend Sec. 2 (Sec. 8), page 7, line 15, by striking out the word "November" and inserting in lieu thereof: "January"; Amend Sec. 2 (Sec. 8), page 7, line 18, by striking out the word "October" and inserting in lieu thereof "December"; Amend Sec. 2 (Sec. 8), page 8, lines 8 and 9, by striking out the word "November" and inserting in lieu thereof: "January"; Amend Sec. 2 (Sec. 8), page 8, lines 15 and 16, by striking out the word "November" and inserting in lieu thereof: "January"; Amend Sec. 2 (Sec. 8), page 9, line 1, by striking out the word "November" and inserting in lieu thereof: "January"; Amend Sec. 2 (Sec. 8), page 9, line 5, by striking out the word "January" and inserting in lieu thereof: "March"; Amend Sec. 2 (Sec. 8), page 9, line 14, by inserting after the word "orders" the following:

"When such corrections have been made, the chief assessor shall prepare three copies of the assessment roll and deliver them on or before the seventh day of May with his certificate that they are a true copy of the original assessment roll to the following:

(1) One copy to the chief clerk of the county commissioners;

(2) One copy of such portion of the roll as contains the assessment of persons or property within each school district to the secretary of the board of school directors of the respective school district; and

(3) One copy of such portion of the roll as contains the assessment of persons or property within each city accepting the provisions of this act, borough, town or township to the respective city clerk, borough secretary, town clerk or secretary or township secretary. All copies of such roll so furnished shall for all purposes be con-

sidered as originals. The said copies in addition to the information required to be shown on the original assessment roll shall provide space to the right of each assessment for the entry of all taxes which may be levied thereon by the respective political subdivisions. The original assessment roll as corrected after appeals shall be preserved in the office of the chief assessor or of the board and shall be open to public inspection subject to such regulations as the board may prescribe for the preservation and safekeeping of such roll.

(f) On or before the first day of April the chief assessor shall certify to the clerk or secretary of each political subdivision coming within the scope of this act within the county, the value of real property, the value of occupations, and the number of persons subject to personal taxes appearing in the assessment roll and taxable by the respective political subdivisions"; Amend Sec. 5, page 11, lines 1 and 2, by striking out both of said lines; Amend Sec. 5 (Sec. 19.1), page 11, lines 3 to 19, both inclusive, by striking out all of said lines; Amend Sec. 5 (Sec. 19.1), page 12, lines 1 and 2, by striking out both of said lines; Amend Sec. 5 (Sec. 19.2), page 12, lines 3 to 19, both inclusive, by striking out all of said lines; Amend Sec. 5 (Sec. 19.2), page 13, lines 1 to 11, both inclusive, by striking out all of said lines; Amend Sec. 5, page 13, line 13, by inserting after the word "the" "fiscal"; Amend Sec. 5, page 13, line 14, by inserting after the word subsequent "fiscal"; Amend Sec. 5, page 13, line 15, by striking out the word "years prior to" and inserting in lieu thereof: "fiscal years or period prior to the fiscal year"; Amend Sec. 7, page 14, lines 11 and 12, by striking out both of said lines.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that House Bill No. 872, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

#### Senate Bill No. 389, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

#### Senate Bill No. 494, entitled:

An Act to add section one thousand three hundred

seventy-three point one to the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of handicapped children.

#### Senate Bill No. 761, entitled:

An Act providing for the payment into the State Treasury through the Department of Revenue without escheat of certain unclaimed funds held under policies of life or endowment insurance or annuity contracts and owing to persons whose last known address was in this Commonwealth by life insurance companies doing business in this Commonwealth requiring reports of such funds by such life insurance companies requiring notices and publication by the Department of Revenue of certain information pertaining to such unclaimed funds conferring powers and imposing duties on certain State officers boards and departments indemnifying and agreeing to hold harmless life insurance companies upon payment of such funds to the Department of Revenue providing for refunds of such funds requiring the Department of Revenue to keep certain records exempting certain unclaimed funds making certain other statutes inapplicable and prescribing penalties.

#### Senate Bill No. 762, entitled:

An Act to further amend the act approved the seventh day of June 1915 (P. L. 878) entitled "Providing for the escheat of deposits of money or property of another received for storage or safe-keeping the dividends profits debts and interest on debts of corporations companies banks trust companies insurance companies limited partnerships and partnership associations organized under the laws of this Commonwealth except mutual saving-fund society not having a capital stock represented by shares and except also building and loan associations and property held for the benefit of another by the same and the profits accretions and interest on such property as well as interest thereon accrued or which should have accrued between the fixing of the amount of such property by the award of any court and the actual distribution thereof" as amended by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth.

#### Senate Bill No. 881, entitled:

An Act to facilitate vehicular traffic in the Western section of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near the City of Erie in Erie County, to connect with the Pennsylvania Turnpike or the Western extension thereof, at such point as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation, constituting such bonds legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes and relocations and restoration of public roads and State highways affected by the turnpike;

providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

Senate Bill No. 901, entitled:

An Act accepting the grants, requirements, and benefits of an act of the eighty-first Congress of the United States, approved....., one thousand nine hundred forty-nine, known as the Educational Finance Act of 1949, bearing public act No....., entitled "To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes."

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

#### RULE 21 SUSPENDED FOR REMAINDER OF SESSION

Mr. WALKER. Mr. President, I move that Rules 21, which requires amended bills to be noted on the Calendar, be suspended for the remainder of the Session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

#### SENATE BILL No. 660 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 660 which was returned from the House of Representatives with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 660, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of, and the purchase of apparatus and equipment for, the Western State Psychiatric Institute and Clinic, and for the conduct of teaching and research on the cause, treatment, prevention and cure of the various types of nervous disorders and mental diseases; and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, lines 1 and 2, by striking out after the word "of" in line 1, and before the word "or" in line 2, the following "two million seven hundred thousand dollars (\$2,700,000)" and inserting in lieu thereof, the following "two million dollars (\$2,000,000)".

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 660

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 660.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 508 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 508 which was returned from the House of Representatives with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 508, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated, Fox Chase, Philadelphia, Pennsylvania.

which was returned from the House of Representatives with amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 1, by inserting after the word "mainaenance" and before the word "of", the following: "and purchase of operating equipment."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 508

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 508.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,

Doehla,  
Donlan,  
Farrell,  
Frazier,

Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Stevenson,  
Stiefel,  
Tallman,

Wood, L. H.,  
Wood, T. N.,  
Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 504 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 504 which was returned from the House of Representatives with amendments.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 504, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 2 of the title, by inserting after the word "certain" and before the word "soldiers," the following: "disabled veterans"; Amend Section 1, page 2, line 3, by inserting after the word "of" and before the word "soldier", the following: "totally disabled veterans and of".

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 504

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 504.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,  
Barrett,  
Berger,  
Bless,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Geltz,  
Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Meade,  
Neff,  
Pechan,  
Peelor,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Tarr,  
Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 501 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 501 which was returned from the House of Representatives with amendments.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 501, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

which was returned from the House of Representatives with amendments.

The Clerk read the amendment as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the following: "three hundred thousand dollars (\$300,000)" and inserting in lieu thereof, the following: "six hundred thousand dollars (\$600,000)."

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 501

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 501.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,  
Barrett,  
Berger,  
Bless,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Geltz,  
Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Meade,  
Neff,  
Pechan,  
Peelor,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Tarr,  
Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 465 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 465 which was returned from the House of Representatives with amendments.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of revising the curricula of elementary secondary and vocational schools.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by inserting after the word "Instruction" and before the word "for," the following: "including proceeds of publications sold"; Amend the bill, page 2, by inserting after line 5, the following: "Section 2 All moneys collected from the sale of any publications issued pursuant to said act shall be paid into the general fund and credited to the foregoing appropriation and are hereby appropriated for the same purposes in addition to the amount hereinbefore appropriated."

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 465

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 465.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 330 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 330 which was returned from the House of Representatives with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 330, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children and elderly people as well as family groups, industrial workers and others.

which was returned from the House of Representatives with amendments.

The Clerk read the amendment as follows:

Amend Section 1, page 1, line 2, by striking out all of line 2 and inserting in line 2 and inserting in lieu thereof, the following: "one hundred fifty thousand dollars (\$150,000)."

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO SENATE BILL No. 330

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 330.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 247 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 247 which was returned from the House of Representatives with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 247, entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," by increasing the amounts which the counties will receive from the State for forest reserves.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 3 of the title, by inserting after the word "counties" and before the word "will," the following: "school districts and townships"; Amend Section 1, page 3, line 7, by striking out after the left-faced bracket and before the word "cents," the following: "four" and inserting in lieu thereof, the following: "two and one-half"; Amend Section 1, page 3, line 8, by inserting after the word "two" and before the word "cents," the following: "and one-half"; Amend Section 1, page 3, line 10, by inserting after the word "two" and before the word "cents," the following: "and one-half."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 247

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 247.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 229 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 229 which was returned from the House of Representatives with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENT

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 229, entitled:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

which was returned from the House of Representatives with amendment.

The Clerk read the amendment as follows:

Amend the bill, page 2, by inserting after line 5, the following: "Section 2 The provisions of this act shall be

administered under regulations to be established by the Department of Welfare and the Auditor General."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO SENATE BILL No. 229

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendment made by the House to Senate Bill No. 229.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, and Members of the Senate, before offering this resolution, I have a few brief remarks to make, and I will try to make them as quickly as possible, because I know how anxious we all are to get out of here.

Mr. President and Members of the Senate, some few weeks ago, I told the members of the Senate about the recent purchases of the Pennsylvania Liquor Control Board, wherein the distillers changed their back label taking the older whiskies out of their blends and selling them to the Liquor Control Board at no reduced price. I, at that time, said that I have the minutes of the Liquor Control Board meeting and I still have them in my desk if any Member of the Senate cares to look at them for the sake of verification.

Today, I am going to give you, in detail, some more of the irregularities practiced by the Pennsylvania Liquor Control Board.

Mr. President and Members of the Senate, one of the most common unlawful practices used by the Board and a wilful violation of the Pennsylvania Liquor Control Act is the one called "Floor Stock Adjustment".

Prior to 1937, the Board could use its own judgment as to mark-ups, even within class of liquors and could thus discriminate against products exactly similar. However, in 1937, the Legislature amended Section 201(b) of the Liquor Control Act, which section up to that time had

contained no limit on the authority of the Board to fix wholesale and retail prices of liquors, by providing:

\* \* \* \* \*

"That in fixing sale prices the board shall not give any preference or make any discrimination as to classes, brands, or otherwise, except where special sales are deemed necessary to move unsaleable merchandise."

The Board's floor stock adjustment procedure operates as follows. After the Board has purchased liquors from the vendor at a contracted price, the retail price of such liquors is fixed by a uniform percentage mark-up applicable to the type of product.

It frequently happens that after a vendor having sold his product to the Board desires, for various reasons, to have the public be able to purchase the product at a lower price. He then advises the Board of the new cost on any subsequent orders and also the date for which he desires the new retail price to be effective. It is then proper for the Board to demand and collect from the vendor, a "floor stock adjustment" or reimbursement of the difference between the old and the new cost for all inventories on hand on the effective date of the lowered retail price.

It is in the application of this procedure that the Board very often violates the Liquor Control Act, Section 201(b). To illustrate the preference, discrimination and inconsistency practiced by the Board, in cases involving "floor stock adjustments", I cite the following examples:

(1) Some cases are properly handled and the full amount of the adjustment paid immediately, or deducted from monies due the Vendor from the Board.

(2) Other preferred cases are exempt, no reimbursement collected, the Board allowed the reduction out of the markup, or taking a direct loss.

(3) In other cases, Vendors are only charged a portion of the adjustment.

(4) In other cases, Vendors are given an extended credit plan and adjustments deducted on a case basis, on future orders.

The above illustrations are a violation of Section 201(b) because they clearly indicate

that in fixing sale prices, the Board did give preference, or make discrimination as to classes, brands, or otherwise.

Another regularity and one which also reflects preference and discrimination is the Board's policy regarding sales promotion and interior store advertising.

The Liquor Control Board gives products of some companies free advertising and promotional advantage in the interior of state stores. This is "discriminatory" and unfair to competitors who are compelled to promote the sale of their products through normal advertising channels of newspapers, bill boards, magazines, radio and the employment of sales personnel.

Some years ago, in a previous Administration, it was proposed and approved, that advertising, window displays, and etc., be discontinued on state store premises. This "no advertising and display order" has continued on to the present time. However, the Board has resorted to indoor displays on what they term "close out items".

A "close out item", is one in which the inventory is being sold and on which no re-orders of this identical product are to be made. In many cases, the price are reduced

and in order to call the public's attention to the supposed "bargain", signs, placards, displays are placed in the interior of the store and prominent shelving display is given to the items. The intention of this plan is to assist in the promotion of slow moving and inactive unsaleable items. This method would seem to be in order were it not abused as follows

The Board gives some companies the benefit of this free advertising in this manner. The favored company takes a standard brand item and after having considerable inventory on hand, changes the formula slightly, then notifies the Board that on subsequent purchases, the merchandise will be supplied in accordance with the new formula which entails minor changes in the price or the various ages or percentages of the whiskies and spirits.

The Board approves the company's request to "close out", the merchandise with the old formula and proceeds to offer the product on "close out sale", giving the company the benefit of the above free "interior promotional and store advertising method". The benefit to the vendor is twofold. He not only receives free store advertising but after the brand has enjoyed increased sales because of the store promotion, a reorder is placed on the brand under the new formula based on the sales record made during the advertised period.

It is important to remember that through all this juggling the "brand name" remains the same and does not change. The minor formula changes are made simply to comply with the board's theory that the identical product on "close out" will not be reordered. Therefore, the Pennsylvania Liquor Control administration is not only violating the legislative intent of the Liquor Control Law but is being used as a medium to promote the products of certain vendors and to hoax the public into believing they are getting bargains.

Now, Mr. President and Members of the Senate, the Michigan Liquor Control Law is very similar to ours. The abuses which I have cited in previous speeches in this Senate were pretty much the same in the State of Michigan. The Legislature there, at this Session of the Legislature, passed a resolution, which I am going to offer to the Senate, I am not going to ask for immediate consideration of this resolution because I think it should go before the Liquor Control Committee tomorrow, but I would ask that they do give it consideration and study.

Mr. President, if they will report it out and pass it tomorrow, these abuses will not exist anymore in the Pennsylvania Liquor Control Board.

## RESOLUTION

DIRECTING THE PENNSYLVANIA LIQUOR CONTROL BOARD TO PREPARE A COMPLETE COMPILATION OF ALL RULES AND REGULATIONS ETC., TO CONFORM WITH THE PROVISIONS OF THE PENNSYLVANIA LIQUOR LAWS

Mr. BARR. Mr. President, I ask unanimous consent to offer a resolution at this time.

THE PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR, offered the following resolution which was twice read, and referred to the Committee on Rules:

In the Senate, April 27, 1949.

Whereas, The Pennsylvania Liquor Control Board does

not have a setup of uniform rules, regulations and policies of procedure, and

Whereas, Because of this lack of uniformity, some of the decisions and rulings of the Board are contradictory, and

Whereas, Because of this confusion, courts very often overrule the Boards' decisions and criticise the Board for overstepping its authority in its interpretation of the Liquor Control Acts, and

Whereas, A printed compilation of the Board's rulings regulations, policies and procedure would be useful, necessary and informative to Legislators, Attorneys, Licensees, Vendors, Officials and others having business with, or interested, in the administration of liquor control in Pennsylvania; Therefore, be it

Resolved, That the Pennsylvania Liquor Control Board, immediately prepare a complete compilation of all rules, regulations, policies and procedure and the booklet be made available after it has been approved by the Attorney General, to conform with the provisions of the Pennsylvania Liquor Control Laws.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Thursday, April 28, 1949, at 9:00 o'clock, a. m., Eastern Standard Time.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:59 o'clock, p. m., Eastern Standard Time, until Thursday, April 28, 1949, at 9:00 o'clock, a. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, April 27, 1949

The House met at 10:00 a. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

### PRAYER

The Chaplain, Rev. William Hugh Fryer offered the following prayer:

O God, our Father in Heaven, we consecrate ourselves anew to Thee. Grant us loyalty and gladness in Thy service. Fill us with the spirit of reverence and humility. Keep us in solemn remembrance that we are Thy children and in Thy presence; and make us faithful in duty and worthier of Thy love; through Jesus Christ our Lord. Amen.

### JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, April 26, 1949.

The Clerk proceeded to read the Journal of Tuesday, April 26, 1949, when on motion of Mrs. MUNLEY unanimously agreed to, the further reading was dispensed with and the Journal approved.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 26.

An Act to reenact section four of the act approved

the fourth day of April one thousand seven hundred ninety-eight (3 Smith Laws 331) entitled "An act limiting the time during which judgment shall be a lien on real estate and suits may be brought against the sureties of public officers" relating to the time suits may be brought against sureties of public officers

#### HOUSE BILL No. 138.

An Act providing for the payment of moneys to political subdivisions the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the purpose of securing the payment or repayment of money due the Commonwealth

#### HOUSE BILL No. 140.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by defining the resident of certain children living upon State owned property and providing for certain Commonwealth reimbursements

#### HOUSE BILL No. 182.

An Act to amend section one of the act approved the fifth day of July one thousand nine hundred forty-seven (Appropriation Acts page 53 Act No. 62-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the Commonwealth and the amount of the total appropriation

#### HOUSE BILL No. 195.

An Act to amend article eleven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing for restitution in offenses against personal property

#### HOUSE BILL No. 395.

An Act authorizing the conveyance of the interest of either former spouse after a divorce to the other without the joinder of the other, of such former spouse's interest in real estate which is held by them as tenants by the entireties; and validating such conveyances formerly made.

#### HOUSE BILL No. 417.

An Act to amend section four hundred thirteen and to add section four hundred thirteen point one to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by further penalizing the furnishing of false or libelous statements or matter for publication or broadcast

#### HOUSE BILL No. 418.

An Act to add section four hundred eighteen to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by creating an additional crime of loitering and prowling at night

## HOUSE BILL No. 486.

An Act to further amend section seven hundred nineteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the dog training period.

## HOUSE BILL No. 519.

An Act to further amend section nine of the act approved the thirty-first day of March one thousand eight hundred sixty (P. L. 427) entitled "An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" by providing for the entry of nolle prosequi in certain fraudulent conversion cases

## HOUSE BILL No. 535.

An Act defining and prohibiting unfair sales of cigarettes conferring powers and imposing duties on the Department of Revenue and on persons as herein defined engaged in the sale of cigarettes at retail or wholesale providing for the suspension and revocation of Cigarette Tax Permits and providing remedies and penalties for violations

## HOUSE BILL No. 701.

An Act to amend section one thousand three of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the State Council of Education to fix qualifications of assistant county superintendents.

## HOUSE BILL No. 861.

An Act to reenact and amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by continuing the mercantile license and tax for the year one thousand nine hundred and fifty and succeeding years in school districts of the first class

## HOUSE BILL No. 862.

An Act to amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by continuing the provisions of the act for 1950 and succeeding years in certain school districts of the first class and by imposing certain duties on school treasurers in certain school districts of the first class and relieving county treasurers of certain duties under this act

## HOUSE BILL No. 886.

An Act to amend section five of the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1944) entitled as amended "An act providing for the erection construction and equipment of a new Pennsylvania Industrial School, to take the place of the present Pennsylvania Industrial School at Huntingdon designating the manner of acquiring or setting aside of land for the erection and construction of the new school by The General State Authority authorizing the Commonwealth to lease the new school and its grounds from The General State Authority upon its completion providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon creating the Board of Trustees of the Pennsylvania Industrial School defining its powers and duties and conferring powers and imposing duties upon certain State departments boards commissions and officers" by further prescribing the length of term a person can be imprisoned in said institution

## HOUSE BILL No. 925.

An Act to amend subsection (a) of section nine hundred thirty-eight of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the number of permits for special dog training areas throughout the Commonwealth

## HOUSE BILL No. 932.

An Act to further amend section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing the salaries of tax collectors their deputies clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes and requiring certain payments by the taxing districts

## HOUSE BILL No. 1025.

An Act to add section one thousand one hundred forty-four point one to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for salaries for teachers of applied art and vocational subjects

## HOUSE BILL No. 1069.

An Act to provide for the creation within the Department of Public Instruction of a Division of Radio and Audio-Visual Education establishing within such Division a lending and exchange library of records transcripts scripts films slides projectors and other necessary equipment and material imposing certain duties upon the Superintendent and Department of Public Instruction and making an appropriation

## HOUSE BILL No. 1070.

An Act to amend the act approved the twenty-fifth day June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" by correcting an error in the salary of the coroner

## HOUSE BILL No. 1107.

An Act to amend sections three hundred sixteen and three hundred seventeen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the method of filling vacancies in the boards of school directors in certain cases.

## HOUSE BILL No. 1189.

An Act to amend section twelve of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" by further regulating certain permissible charges

## HOUSE BILL No. 1303.

An Act making an appropriation to the Lancaster Heart Association to be used for carrying on its purposes of research study treatment prevention and care of rheumatic fever and diseases of the heart to provide convalescent care and hospital treatment in such cases and for renovation and equipment of real property

With the information that the Senate has passed the same without amendment.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## SENATE BILL No. 12.

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania

## SENATE BILL No. 20.

An Act to amend sections six hundred seventy-four and six hundred seventy-five of the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the levy and assessment of taxes on properties in school districts of the second class where such school districts are not wholly within a city and requiring the furnishing of county duplicates in such cases

## SENATE BILL No. 36.

An Act to further amend section two hundred thirty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" establishing a procedure by which registers of wills-elect shall execute record and file their bonds to the Commonwealth and receive their commissions eliminating the requirement that such bonds be approved by the judges of the orphans' court and the Governor and imposing duties upon the Secretary of the Commonwealth and recorders of deeds

## SENATE BILL No. 135.

An Act to amend section five and to further amend section seven of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation" by abolishing the Schuylkill River Desilting Fund

## SENATE BILL No. 244.

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania

## SENATE BILL No. 306.

An Act to further amend subsection nine of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting contributors to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class providing for obtaining full benefits by contributors heretofore or hereafter making such change and imposing duties on the board in respect thereto

## SENATE BILL No. 328.

An Act making appropriations to the Department of Property and Supplies and the Pennsylvania Historical and Museum Commission to be used to purchase property in Montgomery County Pennsylvania and in restoration work at Pottsgrove Pennsylvania

## SENATE BILL No. 333.

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses

## SENATE BILL No. 343.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry

## SENATE BILL No. 374.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

## SENATE BILL No. 395.

An Act to amend the title and to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the or-

ganization of corporations with gduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by segregating from the classification of private banks employees mutual banking associations and defining the qualifications powers and duties of such associations.

#### SENATE BILL No. 398.

An Act to further amend section one of the act approved the eighth day of June one thousand nine hundred twenty-three (P. L. 685) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" by adding certain additional fees to be charged and collected and repealing a supplementary act

#### SENATE BILL No. 430.

An Act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges

#### SENATE BILL No. 467.

An Act making an appropriation to the Department of Welfare for the purpose of administering the Pennsylvania Hospital Survey and Construction Act of 1947.

#### SENATE BILL No. 469.

An Act making an appropriation to the Berean Manual Training School of Philadelphia Pennsylvania for the purpose of the maintenance of said school

#### SENATE BILL No. 470.

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund

#### SENATE BILL No. 475.

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund

#### SENATE BILL No. 476.

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

#### SENATE BILL No. 477.

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement system with respect to State em-

ployes receiving compensation from the Motor License Fund

#### SENATE BILL No. 478.

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

#### SENATE BILL No. 480.

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education

#### SENATE BILL No. 481.

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund

#### SENATE BILL No. 486.

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

#### SENATE BILL No. 487.

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries

#### SENATE BILL No. 489.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

#### SENATE BILL No. 492.

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for Medical education and research

#### SENATE BILL No. 493.

An Act making an appropriation from the Public Building Construction Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Public Building Construction Fund

#### SENATE BILL No. 496.

An Act making an appropriation to the Philadelphia School for the Deaf at Mount Airy Philadelphia Pennsylvania for the purpose of acquiring installing replacing and renewing certain equipment and machinery

#### SENATE BILL No. 499.

An Act making an appropriation to the State Veterans' Commisison for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

#### SENATE BILL No. 503.

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to

meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund

SENATE BILL No. 505.

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses

SENATE BILL No. 506.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

SENATE BILL No. 507.

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

SENATE BILL No. 509.

An Act to authorize the collection and preservation of scattered public records and manuscript materials of the Commonwealth by the Pennsylvania Historical and Museum Commission and making an appropriation

SENATE BILL No. 513.

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund

SENATE BILL No. 514.

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund

SENATE BILL No. 521.

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

SENATE BILL No. 528.

An Act to further amend section four hundred fifteen of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by permitting holders of importers' licenses to sell liquor when in original containers of ten gallons or greater capacity to licensed manufacturers within this Commonwealth.

SENATE BILL No. 577.

An Act to amend section three hundred twenty-six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by providing that stock issued upon any increase of capital made by any stock insurance company may be exchanged for stock of another insurance company without the right of stockholders of the issuing company to subscribe to such new stock where the terms and conditions of such exchange are approved by the Insurance Commissioner after a hearing

SENATE BILL No. 626.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making certain corrections and additions to conform to existing law and eliminating inoperative provisions

SENATE BILL No. 628.

An Act to amend section three hundred twenty-six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing the issuance authorized but unissued stock to officers and employees of company or subsidiary upon approval of majority of stockholders.

SENATE BILL No. 635.

An Act to further amend section six hundred thirty-nine of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" empowering the Insurance Commissioner to refuse to renew licenses under certain conditions

SENATE BILL No. 636.

An Act to further amend section six hundred three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an

insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the issuance of agents' licenses

#### SENATE BILL No. 640.

An Act to repeal section five hundred thirty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" relating to the right of certain mutual fire insurance companies to become stock companies

#### SENATE BILL No. 642.

An Act to amend section eight hundred seven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating reserves with respect to domestic mutual fire insurance companies

#### SENATE BILL No. 664.

An Act making an appropriation to the Trustees of the University of Pittsburgh for expenditure thereof for the purposes of study and research in the development of the adaptation of the acid open hearth process for the manufacture and improvement of steel more particularly of special grades of steel

#### SENATE BILL No. 680.

An Act to further amend section four of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and

providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by increasing the powers of the Pennsylvania Labor Relations Board

#### SENATE BILL No. 681.

An Act making an appropriation to the Brandywine Battlefield Park Commission for the payment of necessary expenses

#### SENATE BILL No. 718.

An Act to add section five hundred twenty-two to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring a consolidated report by school directors covering all matters now or hereafter required to be reported to the Department of Public Instruction and the Public School Employees' Retirement Board imposing duties on the Department of Public Instruction and making an appropriation

#### SENATE BILL No. 720.

An Act requiring certain associations furnishing telephone service only to their stockholders or members on a non-profit basis to secure certificates of public convenience from the Pennsylvania Public Utility Commission to commence to engage in furnishing telephone service or to extend telephone service into areas not being served and providing for judicial review of orders of the Commission relating to such certificates and providing penalties

#### SENATE BILL No. 754.

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

#### SENATE BILL No. 760.

An Act to further amend the Act approved the twenty-fifth day of June one thousand nine hundred and thirty-seven (P. L. 2063) entitled "An act providing for the payment into the State Treasury without escheat of certain moneys and property subject to escheat under existing law namely unclaimed dividends and profits certain debts and interest on certain debts proceed of policies of insurance stock and customers deposits held by certain limited partnerships and unincorporated associations joint-stock associations companies and corporations doing business under the laws of this Commonwealth declaring the legislative intent with respect to such payments requiring reports of such money and property by and imposing other duties upon such partnerships associations and corporations conferring powers and imposing duties on certain State officers boards and departments providing for jurisdiction of courts and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue providing for refunds of such moneys and property and prescribing penalties" by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth

## SENATE BILL No. 768.

An Act to add clause (v) to section two thousand eight hundred one A of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act, providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the establishment of an extension museum pertaining to war history by the Pennsylvania Historical and Museum Commission and the Department of Military Affairs.

## SENATE BILL No. 800.

An Act to amend section four thousand four hundred six of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for appointments to fill vacancies from certified lists

## SENATE BILL No. 805.

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by further regulating the leasing and sale of properties by the Tax Claim Bureau authorizing county commissioners to purchase properties at certain tax sales and increasing the percentage charged by the county on moneys collected

## SENATE BILL No. 869.

An Act making an appropriation to the Department of Agriculture for the purpose of expanding its service to the poultry industry and requiring the Poultry Industry to match the funds so appropriated

## SENATE BILL No. 924.

An Act to provide for an additional law judge of the court of common pleas in the tenth judicial district

Whereupon,

The SPEAKER, in the presence of the House, signed same.

## SENATE MESSAGE

## CONCURRENCE IN HOUSE RESOLUTION

The Celrk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, April 26, 1949.

Whereas, The General Assembly requires for its use comprehensive, factual information concerning the numerous problems before it;

Resolved (if the Senate concurs), That the Joint State Government Commission is hereby directed to:

1. Study and revise
  - (a) The Administrative Code of 1929 and related statutes
  - (b) Laws relating to mental health
  - (c) Laws relating to landlord and tenant, eviction proceedings, rent control, and kindred statutes
  - (d) Orphans' Court Act, Orphans' Court Partition Act, Register of Wills Act, Revised Price Act, with their supplements and related statutes
  - (e) Laws relating to insurance
2. Study and investigate
  - (a) Cost of construction and maintenance of public highways as related to vehicles used thereon
  - (b) Space requirements for State government outside of the City of Harrisburg, rental costs and convenience involved, and the cost and convenience of alternative arrangements
  - (c) The accounting systems used by the several departments, agencies and commissions of the Commonwealth with a view of developing adequate and uniform accounting systems and complete analyses of the Commonwealth's fiscal condition, including a statement and analysis of assets, exclusive of physical assets, and liabilities of the Commonwealth
  - (d) Administration and financing of public assistance in the Commonwealth
  - (e) Taxation and exemption of Liquid fuels utilized for nonhighway purposes, methods of exempting, taxing, and rebating and distributing any such taxes
  - (f) Criminal jurisdiction of the Allegheny County Court
  - (g) Commonwealth-owned forests and reforestation
  - (h) Fishways and similar devices which may be used in the waters of the Commonwealth and the fish population in such waters
  - (i) Efficient public school attendance areas within the Commonwealth
  - (j) Occupational hazards to State employees in the performance of their official duties
  - (k) Cost of retirement systems to the Commonwealth and its political subdivisions
  - (l) Child placement and adoption in the Commonwealth; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations, with such drafts of legislation necessary to carry the recommendations into effect.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. JOHNSON asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

### BILLS ON SECOND READING

#### BILL PASSED OVER

There being no objection

Senate Bill No. 33, Printer's No. 538

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 72, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the maximum aggregate number of officers and men in the State Police Force

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 105, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers hereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and

other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the salaries of certain officers of the Commonwealth

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. WATKINS offered the following amendment:

Amend Sec. 3 (Sec. 210), page 8, by inserting between lines 14 and 15 the following: To the Chairman of the Pennsylvania Liquor Control Board, fifteen thousand dollars.

To the members of the Pennsylvania Liquor Control Board, other than the Chairman, each fourteen thousand dollars."

It was agreed to.

The section was agreed to as amended.

The fourth to seventh sections inclusive were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 170, entitled:

An Act to amend section ninety-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by placing a limit on the amount which may be spent for hotel and traveling expenses and cost of annual meetings

The first section was read.

On the question,

Will the House agree to the section?

Mr. BOMBERGER offered the following amendments.

Amend Sec. 1 (Sec. 96), page 3, line 2, by inserting a bracket before the word "twenty";

Amend Sec. 1, (Sec. 96), page 3, line 2, by inserting after the word "five" the following: "] sixty."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 214, entitled:

An Act to amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as heretofore amended and reenacted by providing for creation and abolition of wards for the deachment of territory the election of councilmen for the election of a banking institution as borough treasurer for change in the fiscal year and for budgets tax levies and audits necessitated thereby for the acquisition and lease of lands

and buildings for comfort stations and the appropriation of moneys for the acquisition of land for fire company purposes for recognition of fire companies whose members are to be covered by Workmen's Compensation insurance for the adoption of a plumbing code empowering boroughs to prohibit junk yards and to make and regulate charges for the use of services and facilities authorizing the use of general fund moneys for pension purposes regulating contracts and sewer rentals and clarifying and revising certain provisions of said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 221, entitled:

An Act to further amend section thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" by changing certain allowances and expenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 242, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College for expenditure by the School of Mineral Industries thereof for the purpose of studying the question of burning gob piles

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 248, entitled:

An Act providing for the payment in to the court of certain moneys involved in disputes between the Commonwealth of Pennsylvania and any county officer acting as agent of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 266, entitled:

An Act to further amend section two of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by further regulating the returns of taxable property and the payment of taxes by certain taxpayers under the provisions of said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 286, Printer's No. 496 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight and of carrying out the provisions of existing laws relating thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 296, entitled:

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 1017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations an institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by clarifying the powers and duties of the institution districts and other public agencies furnishing assistance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 324, entitled:

An Act to amend the act approved the sixth day of May one thousand nine hundred nine (P. L. 433) entitled "An act fixing the salary of the reporter of the decisions of the Supreme Court of Pennsylvania and of his assistant" by increasing the salaries provided by the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 352, entitled:

An Act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

The SPEAKER. The Chair wishes to inform the Members that Senate Bill 355, Printer's No. 206 is on the second reading calendar in error. The Chair is informed that this bill was recommitted to the Committee on Appropriations yesterday.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 358, entitled:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr Republic School in Mercer County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 367, Printer's No. 631  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 372, entitled:

An Act to amend section four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1513), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by providing for initial inspection of boilers not inspected during construction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 442, entitled:

An Act to amend section eighty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further providing for the payment of expenses of sheriffs at meetings of their State association increasing the allowable expenses for holding the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 445, Printer's No. 502 and  
Senate Bill No. 446, Printer's No. 701  
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 488, entitled:

An Act to further amend section fifteen and twenty-one of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by clarifying certain provisions eliminating provisions for signatures of county controllers and facsimile signatures and requiring the payment to the prothonotary of additional fees under certain circumstances

The first section was read.

On the question,

Will the House agree to the section?

Mr. MILLER offered the following amendments:

Amend Sec. 1, (Sec. 15), page 4, line 19, by inserting after the word "services" the following: "in all counties of the fifth class and the political subdivisions in such counties."

Amend Sec. 1 (Sec. 15), page 5, line 1, by striking out the bracket before the word "shall" and after the word "dollar."

Amend Sec. 1 (Sec. 15), page 5, line 1, by inserting before the word "shall" the following: "and in all other classes of counties and the political subdivisions thereof, he."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. MILLER offer the following amendment:

Amend title, page 2, last line of title, by inserting after the word "circumstances" the following: "in certain counties and political subdivisions thereof."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 502, entitled:

An Act to amend sections one thousand seventy-three and one thousand seventy-seven of the act approved the

tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the term of office and the election of district superintendents and assistant district superintendents in all second and third class school districts of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 524, entitled:

An Act to amend sections one thousand four hundred twenty-nine and two thousand five hundred five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by setting forth the qualifications of certain school nurses requiring their certification and providing for reimbursement on account of school nurses in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 529, entitled:

An Act to further amend section three hundred nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by authorizing the county commissioners, during the last fifteen days of any fiscal year, to transfer and reappropriate any institution district funds to the general County Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 532, entitled:

An Act to further amend the act approved the second day of June one thousand eight hundred ninety-one (P. L.

176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by providing for the establishment of anthracite mine inspection districts the assignment of inspectors and their duties and operators' reports

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 535, entitled:

An Act to amend Rule fifty-four of Article twelve of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by providing for the posting of said act in pamphlet form at or near a mine or colliery.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 563, Printer's No. 157 was passed over at the request of Mr. BOORSE.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 564, entitled:

An Act to further amend sections three hundred sixty-one and three hundred seventy of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by imposing certain restrictions regarding preparation of proposed budgets

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 580, entitled:

An Act to further amend sections four and five of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 583, entitled:

An Act to amend clause XXVIII of section seven hundred two of the act approved the first day of May one thou-

sand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by increasing the amount which township supervisors may expend to care for abandoned or neglected cemeteries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 585, Printer's No. 498.

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 598, entitled:

An Act to amend subsection B of section one thousand five hundred and six of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National Banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by adding thereto the provision that certain corporations created by merger or consolidation under the laws of any state of the United States other than Pennsylvania may act in a fiduciary capacity in this Commonwealth as successors in such capacity to any constituent corporation, and to validate such actions heretofore performed by such corporations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 601, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof of establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for retroactive service allowance of certain employees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 621, Printer's No. 213.

was passed over at the request of Mr. STUART.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 622, entitled:

An Act to amend the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1428) entitled "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties" by bringing certain non-profit and all eleemosynary institutions within the provisions of the act regulating the advertising and soliciting for students including teachers within the definition of the term "agent" requiring agreement to file surety bond when requested restricting schools and agents to those subjects specified in their applications and providing for a separate non-transferable license for each school

The first section was read.

On the question,

Will the House agree to the section?

Mr. STUART offered the following amendments:

Amend Sec. 1 (Sec. 8), page 10, line 8, by inserting after the word "with" the following: "such."

Amend Sec. 1 (Sec. 8), page 10, line 9, by inserting after the word "Pennsylvania" the following: "or any of its political subdivisions as are."

Amend Sec. 1 (Sec. 9), page 13, lines 10, 11 and 12, by striking out the words "Under the provisions of this act the Board may refuse" in line 10, all of line 11 and the words "of this act may be revoked or suspended by the Board for cause" in line 12 and inserting in lieu thereof: "Under the provisions of this act the board shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the board shall find:

(1) That the licensee has violated any of the provisions of this act or any of the rules and regulations of the board.

(2) That the applicant or licensee has knowingly presented to the board false, incomplete, or misleading information relating to licensure.

(3) That the applicant or licensee has pleaded guilty, entered a plea of nolo contendere, or has been found guilty of a crime involving moral turpitude by a judge or jury in any State or Federal court.

(4) That the applicant, licensee, or any employee in a school which is amenable to this act is addicted to the use of morphine, cocaine, or other drugs having a similar effect, or is or shall become mentally incompetent.

(5) That the applicant or licensee has failed or refused to permit the board and/or its representatives to inspect the school or classes or has failed or refused to make available to the board at any time when requested to do so, full information pertaining to any or all items of information contained in an application for license or pertaining to the program of instruction and matters relating thereto.

(6) That the applicant has failed or refused to submit to the board an application for license in the manner and form prescribed by the board.

(7) That a licensed school has failed or refused to display the current approved license where it may be inspected by students, visitors, and designated officials of the board.

(8) That a licensed agent has failed or refused to display or produce his license when requested to do so by prospective students or designated officials of the board.

(9) That the applicant or licensee has failed to provide or maintain premises, equipment, or conditions which are adequate, safe, and sanitary in accordance with such standards of the Commonwealth of Pennsylvania or any of its political subdivisions as are applicable to such premises and equipment.

(10) That the licensee has perpetrated or committed fraud or deceit in advertising the school or classes or in presenting to prospective students written or oral information relating to the school or classes, to employment opportunities, or to opportunities for enrollment in institutions of higher learning.

(11) That the licensee is employing teachers, supervisors, or administrators, who have not been approved by the board, or agents who have not been licensed by the board.

(12) That the licensee has failed to provide and maintain adequate premises, equipment, materials, or supplies, or has exceeded the maximum enrollment for which the school or class was licensed.

(13) That the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative supervisory, or teaching staff.

(14) That the applicant or licensee is unable to provide and maintain financial resources in sufficient amount to equip and maintain adequately and effectively the school or classes.

(15) That the licensee has moved the school into new premises or facilities, or has altered or made additions to premises or facilities before notifying the board of such change and before receiving from the board approval for the new premises or facilities, alterations, or additions.

(16) That the licensee has offered training or instruction in courses or subjects which have not been approved and authorized by the board.

(17) That a licensed agent has solicited prospective students to enroll in a school which has not been approved by the board and which is not listed on the license issued by the board."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 623, entitled:

An Act to amend the title and the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 951) entitled "An act defining and providing for the licensing and regulation of private schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties" by transferring the administrative duties to the State Board of Private Academic Schools changing definitions bringing eleemosynary institutions within the provisions of this act eliminating the advisory committee regulating the advertising and soliciting for students and restricting agents in connection therewith requiring agreement of schools to file surety bond when requested and providing for a separate nontransferable license for each school.

The first to tenth sections inclusive were separately read and agreed to.

The eleventh section was read.

On the question,

Will the House agree to the section?

Mr. STUART offered the following amendments:

Amend Sec. 11, page 9, line 17, by inserting after the word "with" "such."

Amend Sec. 11, page 9, line 18, by inserting after the word "Pennsylvania" the following: "or any of its political subdivisions as are."

They were agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the House agree to the section?

Mr. STUART offered the following amendments:

Amend Sec. 12, page 10, lines 1 and 2, by striking out the words "Under the provisions of this act the Board may refuse to issue a license for cause."

Amend Sec. 12, page 10, line 2, by inserting a bracket before the word "Any."

Amend Sec. 12 page 10, line 3, by striking out the brackets before and after the word "department."

Amend Sec. 12, page 10, line 3, by striking out the word "board."

Amend Sec. 12, page 10, line 4, by striking out the bracket before the word "Before."

Amend Sec. 12, page 10, line 10, by inserting after the bracket the following:

"Under the provisions of this act the board shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the board shall find:

(1) That the licensee has violated any of the provisions of this act or any of the rules and regulations of the board.

(2) That the applicant or licensee has knowingly presented to the board false, incomplete, or misleading information relating to licensure.

(3) That the applicant or licensee has pleaded guilty, entered a plea of nolo contendere, or has been found guilty of a crime involving moral turpitude by a judge or jury in any State or Federal court.

(4) That the applicant, licensee, or any employe in a school which is amenable to this act is addicted to the use of morphine, cocaine, or other drugs having a similar effect, or is or shall become mentally incompetent.

(5) That the applicant or licensee has failed or refused to permit the board and/or its representatives to inspect the school or classes or has failed or refused to make available to the board at any time when requested to do so full information pertaining to any or all items of information contained in an application for license or pertaining to the program of instruction and matters relating thereto.

(6) That the applicant has failed or refused to submit to the board an application for license in the manner and form prescribed by the board.

(7) That alicensed school has failed or refused to display the current approved license where it may be inspected by students, visitors, and designated officials of the board.

(7) That a licensed school has failed or refused to display or produce his license when requested to do so by prospective students or designated officials of the board.

(9) That the applicant or licensee has failed to provide or maintain premises, equipment, or conditions which are adequate, safe and sanitary in accordance with such standards of the Commonwealth of Pennsylvania or any of its political subdivisions as are applicable to such premises and equipment.

(10) That the licensee has perpetuated or committed fraud or deceit in advertising the school or classes or in presenting to prospective students written or oral information relating to the school or classes, to employment

opportunities, or to opportunities for enrollment in institutions of higher learning.

(11) That the licensee is employing teachers, supervisors, or administrators, who have not been approved by the board, or agents who have not been licensed by the board.

(12) That the licensee has failed to provide and maintain adequate premises, equipment, materials, or supplies, or has exceeded the maximum enrollment for which the school or class was licensed.

(13) That the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative, supervisory, or teaching staff.

(14) That the applicant or licensee is unable to provide and maintain financial resources in sufficient amount to equip and maintain adequately and effectively the school or classes.

(15) That the licensee has moved the school into new premises or facilities, or has altered or made additions to premises or facilities before notifying the board of such change and before receiving from the board approval for the new premises or facilities, alterations, or additions.

(16) That the licensee has offered training or instruction in courses or subjects which have not been approved and authorized by the board.

(17) That a licensed agent has solicited prospective students to enroll in a school which has not been approved by the board and which is not listed on the license issued by the board."

They were agreed to.

The section was agreed to as amended.

The thirteenth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 624, entitled:

An Act to further amend section two hundred two and to add sections four hundred fifty-five four hundred fifty-six four hundred fifty-seven and four hundred fifty-eight to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled an act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding State Boards of Private Academic Private Business Private Trade and Private Correspondence Schools to the Department of Public Instruction as administrative departmental boards and to provide for the appointment of the members to said boards.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. STUART offered the following amendemnts:

Amend Sec. 2 (Sec. 455), page 6, line 16, by striking out the words "five (5) or more" and inserting in lieu thereof: "seven (7)."

Amend Sec. 2 (Sec. 455), page 6, line 19, by striking out the words "one (1) represent-"

Amend Sec. 2 (Sec. 455), page 7, lines 1 to 4, by striking out all of lines 1, 2 and 3 and the words "representatives of other related fields" in line 4.

Amend Sec. 2 (Sec. 455), page 7, line 6, by striking out the words "one or more" and inserting in lieu thereof: "three."

Amend Sec. 2 (Sec. 455), page 7, by inserting between lines 7 and 8 the following:

"Four members of the Board shall constitute a quorum and the Board shall annually select a chairman from among its number. The secretary of the Board shall be the Chief of Private Academic School Registration, whose salary shall be determined by the Superintendent of Public Instruction.

The members of the Board shall be paid fifteen dollars per diem and necessary expenses when actively engaged in the performance of their official duties.

The meetings of the Board shall be held and the proceedings of the meetings and the records of the Board shall be maintained in the city of Harrisburg, Dauphin County, Pennsylvania.

All certificates and other official documents of the Board shall be issued by the Department of Public Instruction."

Amend Sec. 2 (Sec. 456), page 7, line 9, by striking out the words "five or more" and inserting in lieu thereof: "seven (7)."

Amend Sec. 2 (Sec. 456), page 7, line 11, by striking out the words "three (3)" and inserting in lieu thereof: "four (4)."

Amend Sec. 2 (Sec. 456), page 7, lines 14 to 19, by striking out the words "one (1) representative of the Pennsylvania Department" in line 14, all of lines 15, 16, 17 and 18 inclusive, and the words "related fields" in line 19.

Amend Sec. 2 (Sec. 456), page 8, line 1, by striking out the words "one or more" and inserting in lieu thereof: "three."

Amend Sec. 2 (Sec. 456), page 8, by inserting between lines 3 and 4 the following:

"Four members of the Board shall constitute a quorum and the Board shall annually select a chairman from among its number. The secretary of the Board shall be the Chief of Private Business School Registration, whose salary shall be determined by the Superintendent of Public Instruction.

The members of the Board shall be paid fifteen dollars per diem and necessary expenses when actively engaged in the performance of their official duties.

The meetings of the Board shall be held, and the proceedings of the meetings and the records of the Board shall be maintained in the city of Harrisburg, Dauphin County, Pennsylvania.

All certificates and other official documents of the Board shall be issued by the Department of Public Instruction."

Amend Sec. 2 (Sec. 457), page 8, line 5, by striking out the words "five or more" and inserting in lieu thereof: "seven (7)."

Amend Sec. 2 (Sec. 457), page 8, lines 7 and 8, by striking out the words "one (1) representative of general industry one (1) representative of labor and three (3)" and inserting in lieu thereof: "five (5)."

Amend Sec. 2 (Sec. 457), page 8, lines 9 and 10, by striking out the words "or in the fields of general business."

Amend Sec. 2 (Sec. 457), page 8, line 11, by striking out the words "one or more" and inserting in lieu thereof: "three."

Amend Sec. 2 (Sec. 457), page 8, by inserting between lines 13 and 14 the following:

"Four members of the Board shall constitute a quorum and the Board shall annually select a chairman from among its number. The secretary of the Board shall be the Chief of Private Trade School Registration, whose salary shall be determined by the Superintendent of Public Instruction.

The members of the Board shall be paid fifteen dollars per diem and necessary expenses when actively engaged in the performance of their official duties.

The meetings of the Board shall be held and the proceedings of the meetings and the records of the Board shall be maintained in the City of Harrisburg, Dauphin County, Pennsylvania.

All certificates and other official documents of the Board shall be issued by the Department of Public Instruction."

Amend Sec. 2 (Sec. 458), page 8, line 16, by striking out the words "five or more" and inserting in lieu thereof: "seven."

Amend Sec. 2 (Sec. 458), page 8, lines 17 to 20, by striking out the words "The membership of the Board shall include one (1) or more" in line 17, all of lines 18, 19 and 20.

Amend Sec. 2 (Sec. 458), page 9, lines 1 to 3 by striking out all of lines 1 and 2, and the words "of other related fields" in line 3.

Amend Sec. 2 (Sec. 458), page 9, line 4, by striking out the words "one or more" and inserting in lieu thereof: "three."

Amend Sec. 2 (Sec. 458), page 9, by inserting between lines 6 and 7 the following:

"Four members of the Board shall constitute a quorum and the Board shall annually select a chairman from among its number. The secretary of the Board shall be the Chief of Private Correspondence School Registration, whose salary shall be determined by the Superintendent of Public Instruction.

The members of the Board shall be paid fifteen dollars per diem and necessary expenses when actively engaged in the performance of their official duties.

The meetings of the Board shall be held and the proceedings of the meetings and the records of the Board shall be maintained in the city of Harrisburg, Dauphin County, Pennsylvania.

All certificates and other official documents of the Board shall be issued by the Department of Public Instruction.

They were agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 625, entitled:

An Act to amend the title and sections one two three four six seven and ten of the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties" by transferring the administration of this act to the State Board of Private Trade Schools bringing eleemosynary institutions within the provisions of the act eliminating the advisory committee regulating the advertising and soliciting for students by private trade schools changing provisions as to licenses and holders thereof and increasing the fees for such licenses and providing for a separate non-transferable license for each school.

The first to fifth sections inclusive were separately read and agreed to.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. STUART offered the following amendment:

Amend Sec. 6 (Sec. 10), page 9, lines 7 and 8, by striking out the following "Under the provisions of this act the board may refuse to issue a license for cause" and insert in lieu thereof

"Under the provisions of this act the board shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the board shall find:

(1) That the licensee has violated any of the provisions of this act or any of the rules and regulations of the board.

(2) That the applicant or licensee has knowingly presented to the board false, incomplete, or misleading information relating to licensure.

(3) That the applicant or licensee has pleaded guilty, entered a plea of nolo contendere, or has been found guilty of a crime involving moral turpitude by a judge or jury in any State or Federal court.

(4) That the applicant, licensee, or any employee in a school which is amenable to this act is addicted to the use of morphine, cocaine, or other drugs having a similar effect, or is or shall become mentally incompetent.

(5) That the applicant or licensee has failed or refused to permit the board and/or its representatives to inspect the school or classes or has failed or refused to make available to the board at any time when requested to do so full information pertaining to any or all items of information contained in an application for license or pertaining to the program of instruction and matters relating thereto.

(6) That the applicant has failed or refused to submit to the board an application for license in the manner and form prescribed by the board.

(7) That a licensed school has failed or refused to display the current approved license where it may be inspected by students, visitors, and designated officials of the board.

(8) That a licensed agent has failed or refused to display or produce his license when requested to do so by prospective students or designated officials of the board.

(9) That the applicant or licensee has failed to provide or maintain premises, equipment, or conditions which are adequate, safe, and sanitary in accordance with such standards of the Commonwealth of Pennsylvania or any of its political subdivisions as are applicable to such premises and equipment.

(10) That the licensee has perpetrated or committed fraud or deceit in advertising the school or classes or in presenting to prospective students written or oral information relating to the school or classes, to employment opportunities, or to opportunities for enrollment in institutions of higher learning.

(11) That the licensee is employing teachers, supervisors, or administrators, who have not been approved by the board, or agents who have not been licensed by the board.

(12) That the licensee has failed to provide and maintain adequate premises, equipment, materials, or supplies, or has exceeded the maximum enrollment for which the school or class was licensed.

(13) That the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative, supervisory, or teaching staff.

(14) That the applicant or licensee is unable to provide and maintain financial resources in sufficient amount to equip and maintain adequately and effectively the school or classes.

(15) That the licensee has moved the school into new premises or facilities, or has altered or made additions to

premises or facilities before notifying the board of such change and before receiving from the board approval for the new premises or facilities, alterations, or additions.

(16) That the licensee has offered training or instruction in courses or subjects which have not been approved and authorized by the board.

(17) That a licensed agent has solicited prospective students to enroll in a school which has not been approved by the board and which is not listed on the license issued by the board."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 629, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employee" and "Original member" to include persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 633, entitled:

An Act to amend section eight of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by requiring an operator to file a new bond with the Department of Mines at the end of an operational year covering such acres as he estimates will be affected during the coming year which are not included in a former bond and extending any unencumbered portion of a bond already filed with the Department so as to include and cover new acres.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 634, entitled:

An Act to amend rule forty of article twelve of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by eliminating the need for the presence of a footman and headman at certain slopes and shafts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 637, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 638, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 645, entitled:

An Act requiring companies and organizations subject to the provisions of the act of June 11 1947 (P. L. 538) or the act of June 11 1947 (P. L. 551) or section 654 of

the act of May 17 1921 (P. L. 682) to maintain uniform classifications of accounts and records make uniform reports providing for appeals to the court of common pleas of Dauphin County and prescribing penalties

The first to third sections inclusive were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. KLINE offered the following amendment:

Amend Section 4, line 5, by inserting after the word "concerned" the following: "Classifications of accounts and records or reports shall be prescribed by the Insurance Commissioner under the provisions of this Act only upon notice and after hearing to all parties affected thereby and rules and regulations relating thereto shall be promulgated by the Insurance Commissioner at least six months before the effective date thereof."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 650, entitled:

An Act to add section thirty point one of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulated such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the computation of certificate and loss reserves with respect to noncancellable health and accident benefits

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 651, entitled:

An Act to amend section five of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1643) entitled "An act relating to certain existing beneficial societies conferring certain rights powers and duties upon them their officers and members authorizing the payment of benefits by them in the event of sickness accident disability or death regulating such societies and corporations and limiting the amount for which they may issue membership certificates or policies providing for reserves imposing penalties and repealing certain existing laws and parts of law" by changing the

reserve requirements for such societies with respect to certain non-cancellable health and accident insurance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 669, entitled:

An Act conferring additional powers on the Joint State Government Commission and its committees and authorizing the commission to supervise and regulate the exercise of legislative powers by administrative agencies of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

### BILL PASSED OVER

There being no objection

Senate Bill No. 684, Printer's No. 643 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 689, entitled:

An Act to further amend section five hundred twenty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by eliminating the requirement that contractors file with the Commonwealth certified payrolls of work done under public works contracts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 700, entitled:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon

the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by transferring certain duties heretofore imposed under this act on the Department of Public Instruction to the State Board of Cosmetology

The first to fifth sections inclusive were separately read and agreed to.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. WATKINS offered the following amendment:

Amend Sec. 6 (Sec. 13), page 8, lines 6 and 7 by inserting a bracket before and after the word "department" and inserting immediately thereafter "board."

It was agreed to.

The sections was agreed to as amended.

The seventh section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 701, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by creating the State Board of Cosmetology as a departmental administrative board in the Department of Public Instruction and prescribing its powers and duties

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. WATKINS offered the following amendments:

Amend Sec. 2 (Sec. 455), page 6, line 11, by inserting after the word "of" where it appears the second time in said line, the following: "the Superintendent of Public Instruction and."

Amend Sec. 2 (Sec. 455), page 7, lines 6 and 7, by striking out the words and figures "twenty-five dollars (\$25)" and inserting in lieu thereof: "fifteen dollars (\$15)."

They were agreed to.

The section was agreed to as amended.

The third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 703, entitled:

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by excluding auctioneers of land from the definition of real estate broker or salesman

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 716, entitled:

An Act creating a Highway Planning Commission to develop a long-range highway program for the Commonwealth and to make report thereon defining the powers and duties of the commission and making an appropriation out of the Motor License Fund

The first, second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. HALL offered the following amendment:

Amend Section 4, Page 3, Line 10, by inserting at the end of said line the following: "urban main highways and."

It was agreed to.

The section was agreed to as amended.

The fifth to seventh sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 725, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission

to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots broadening exemption for hauling agricultural products or farm supplies and eliminating expired provisions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 732, entitled:

An Act to amend part of section two of the act approved the second day of July one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations" by further defining "public highways"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 729, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation by towing of wrecked or disabled motor vehicles and eliminating expired provisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 736, Printer's No. 628 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 747, entitled:

An Act to amend section three hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and

second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to every county controller for the expenses pertaining to the institution district for a temporary period

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 767, entitled:

An Act to further amend rule twenty-five of article twenty-five of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting the use of certain instruments and devices for tamping purposes under certain conditions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 776, entitled:

An Act to further amend clause nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "Original member" to include certain additional employees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 782, entitled:

An Act to amend section seven hundred fifteen and to add section seven hundred twenty-one point one to

the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by further regulating liquidation of institutions as therein defined

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 795, entitled:

An Act authorizing the Department of Forests and Waters to acquire two tracts of land in Somerset and Bedford Counties to be used as a State Park under the jurisdiction of the Department of Forests and Waters and devoted to hunting fishing and recreational purposes and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

Mr. ORBAN offered the following amendments:

Amend Section 1, page 2, line 5, by inserting after the word "Paint" and before the word "and" the following: "Shade Allegheny."

Amend Section 1, page 2, line 5, by inserting after the word "and" and before the word "Saint" the following: "West."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. ORBAN offered the following amendment:

Amend Section 2, page 2, line 13, by striking out at the beginning of the line before the word "devoted" the following: "be used as a State park" and inserting in lieu thereof the following: "become a part of the State's forests."

It was agreed to.

The section was agreed to as amended.

The third and fourth sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. ORBAN offered the following amendment:

Amend page 1, line 4 of the title by striking out after the word "State" and before the word "under" the following: "Park" and inserting in lieu thereof the following: "Forest."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 796, Printer's No. 697

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 810, entitled:

An Act to further amend section six hundred nineteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making municipalities jointly liable for negligence of their employees driving animal-drawn vehicles

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 830, entitled:

An Act to further amend clause two of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further providing for assessment of property for maintenance of lights on roads and highways

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 851, entitled:

An Act to add clause XLII to section seven hundred two of the act approved the first day of May one thousand

nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the supervisors to appropriate money towards nonprofit ambulance services

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 860, entitled:

An Act to amend section three of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1199) entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas providing for the appointment by the board of personal property assessors real estate assessors and assistant real estate assessors clerks and other employees fixing the salaries of members of the board assessors and assistant assessors and providing for the payment of salaries and expenses from the county treasury prescribing the powers and duties of the board and of the assessors the time and manner of making assessments of the revision and notice of assessments and of appeals therefrom prescribing the records of assessments and repealing existing laws" by further prescribing the terms of the officers of the board of revision of taxes

The first section was read.

On the question,

Will the House agree to the section?

Mr. SAX offered the following amendments:

Amend Sec. 1 (Sec. 3), page 3, lines 8 and 9, by striking out "when necessary" and inserting in lieu thereof: "within fifty days after this amending act becomes effective."

Amend Sec. 1 (Sec. 3), page 3, line 10, by striking out the word "Whenever" and inserting in lieu thereof: "and thereafter whenever."

Amend Sec. 1 (Sec. 3), page 3, line 11, by striking out the word "promptly" and inserting in lieu thereof: "meet and."

Amend Sec. 1 (Sec. 3), page 3, line 12, by striking out the words "heretofore or."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 866, entitled:

An Act to further amend section four hundred thirty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 867, entitled:

An Act to further amend clause thirty-four of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 868, entitled:

An Act to further amend section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 875, entitled:

An Act to add section one thousand three hundred ten point one to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the conversion of certain personal property taken without escheat, and conferring

jurisdiction on the Court of Common Pleas of Dauphin County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 563, entitled:

An Act to further amend sections one thousand eight hundred four and one thousand eight hundred nine of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further regulating the adoption and alteration of budgets

Mr. ROBERTSON offered the following amendments to the bill:

Amend Bill, page 2, by inserting after the Enacting Clause the following: "Section 1 Sections one thousand seven hundred four, one thousand seven hundred five and one thousand eight hundred one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class and amending, revising and consolidating the law relating thereto", are hereby amended to read as follows:

Section 1704. Examination and Audit of Accounts. The city controller shall examine, audit and settle all accounts whatsoever in which the city is concerned either as debtor or creditor, and shall also examine and audit the account of all bureaus, officers and departments which collect, receive and disburse public moneys, or who are charged with the management, control or custody thereof, and in case he discovers any default, irregularity, delinquency or mismanagement, he shall make report to the council. He shall likewise audit and report upon the accounts of any such officer upon the death, resignation, removal or expiration of the term of said officer.

(a) He shall likewise audit or cause to be made by a certified public accountant an annual audit of all the accounts of any municipal officer in any department of the city government who may be charged with the duty or who may perform the services of receiving and disbursing the funds of any association, society or organization of municipal employes or persons directly or indirectly connected with the municipal government for the benefit relief or pensioning of firemen, policemen or other municipal employes. Such audits [always] shall be made in the months of January and February [following each calendar year] of the year one thousand nine hundred fifty and during the months of July and August of the year one thousand nine hundred fifty and each year thereafter, and be annually reported to council [before the first day of March] as other reports of the controller are made.

(b) Brief abstracts or summaries of the reports of such accounts and financial statements shall be published at least once a week for two weeks in one newspaper in accord with the provisions of section one hundred and nine of this act. The expense and cost of such publication shall be paid out of the funds of the various associations, organizations or societies as their other expenses are paid.

Section 1705. Annual Report to Council. The city controller shall make report to council [on the first Monday of March in] for each fiscal year or fiscal period, and oftener if so required by council of the audits which he shall have made of the accounts of the officers having charge, custody, control and disbursements of public moneys showing the balance in their hands respectively. Such report shall be made on or before the first Monday of March, one thousand nine hundred fifty for the fiscal

year ending the day preceding the first Monday of January, one thousand nine hundred fifty. Thereafter such report shall be made on or before the first day of September of each year for the last preceding fiscal year or fiscal period. The city controller shall immediately prepare an intelligent summary of said reports showing the fiscal condition of the affairs of the city and publish the same at least one time in at least two newspapers of general circulation as required by section one hundred and nine of this act and post at least one copy of said summary as published in a conspicuous public place in each ward of the city and the city or town hall.

Section 1801. Fiscal Year. The current fiscal year of each city shall end with the day preceding the first Monday of January, one thousand nine hundred fifty. There shall be a temporary fiscal period in each city commencing with the first Monday of January, one thousand nine hundred fifty and ending with the thirtieth day of June, one thousand nine hundred fifty. Thereafter the fiscal year of each city shall begin on the first [Monday] day of [January] July in each and every calendar year and end with the thirtieth day of June of the next succeeding calendar year."

They were agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out the figure "1" and inserting in lieu thereof: "2."

Amend Sec. 1, page 2, line 1, by striking out the word "the" and inserting in lieu thereof: "said."

Amend Sec. 1, page 2, lines 2 to 5, by striking out all of lines 2 to 4 and "lating thereto" in line 5.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendments:

Amend Sec. 2, page 3, line 18, by striking out "2. Section" and inserting in lieu thereof: "3. Sections."

Amend Sec. 2, page 3, line 18, by inserting after the word "nine" the following: "one thousand eight hundred eleven."

Amend Sec. 2, page 4, line 1, by striking out the word "is" and inserting in lieu thereof: "are."

Amend Sec. 2 (Sec. 1809), page 4, line 4, by inserting a bracket before the word "at" where it appears the first time in said line, and after the word "or."

Amend Sec. 2 (Sec. 1809), page 4, line 5, by inserting after the word "annual" the following: "or special period."

Amend Sec. 2 (Sec. 1809), page 4, line 7, by inserting after the word "the" the following: "next."

Amend Sec. 2 (Sec. 1809), page 4, line 7, by inserting after the word "ensuing" the following: "fiscal."

Amend Sec. 2 (Sec. 1809), page 4, line 7, by inserting after the word "year" the following: "or fiscal period."

Amend Sec. 2 (Sec. 1809), page 4, line 9, by inserting a bracket before the word "for" where it appears the second time in said line.

Amend Sec. 2 (Sec. 1809), page 4, line 10, by inserting a bracket after the word "year."

Amend Sec. 2 (Sec. 1809), page 5, line 3, by inserting a bracket before the word "one."

Amend Sec. 2 (Sec. 1809), page 5, line 4, by inserting after the word "twelve" the following: "1812."

Amend Sec. 2 (Sec. 1809), page 5, line 4, by inserting after the word "act" the following: "Such budget shall be prepared during the month of December, one thousand nine hundred forty-nine or previous thereto for the tem-

porary fiscal period from the first Monday of January, one thousand nine hundred fifty and ending June thirtieth, one thousand nine hundred fifty, and on or before the first day of April, of the year one thousand nine hundred fifty and each year thereafter."

Amend Sec. 2 (Sec. 1809), page 5, by inserting between lines 17 and 18, the following: "The budget shall be adopted on or before the first day of January, one thousand nine hundred fifty for the temporary fiscal period beginning the first Monday of January, one thousand nine hundred fifty and on or before the seventh day of May, one thousand nine hundred fifty and each year thereafter for the next ensuing fiscal year."

They were agreed to.

Mr. ROBERTSON offered the following amendment to the bill:

Amend Bill, page 6, by inserting between lines 1 and 2 the following:

"Section 1811. Annual Reports Publication Filing Report with Department of Internal Affairs; Penalty.—The directors of accounts and finance shall make a report verified by oath or affirmation [at the stated meeting in March] in each year of the public accounts of the city and of the trusts in its care for the preceding fiscal year or fiscal period exhibiting all of the expenditures thereof respectively and the sources from which the revenues and funds are derived and in what measures the same have been disbursed. Each account shall be accompanied by a statement in detail of the several appropriations made by council the amount drawn on each appropriation and the balance outstanding to the debt or credit of such appropriation at the close of the fiscal year or fiscal period. For the fiscal year ending the day preceding the first Monday of January 1950 such report shall be made on or before the first day of March. Thereafter such reports shall be made on or before the first day of September in each year for the fiscal period or fiscal year ending with June 30th preceding.

Such report accompanied by a statement of the present funded and floating indebtedness of the city and the date and maturity of the funded debt a schedule of its assets and the character and value thereof and the amount of taxable property therein shall be published once in not more than two newspapers printed and circulated in such city as required by section [one hundred and nine] 109 of this act, Provided, Council may cause such statement to be printed in pamphlet form in addition to the publications made as aforesaid.

The director of accounts and finance shall also [annually] make report of the financial condition of the city to the Department of Internal Affairs [within sixty days after the close of the fiscal year] signed and duly verified by the oath of the director. Such report shall be made on or before March 1st 1950, for the fiscal year ending on the first Monday of January 1950 and on or before the first day of September for any fiscal year or fiscal period thereafter. Any director of accounts and finance refusing or wilfully neglecting to file such report shall upon conviction thereof in a summary proceeding brought at the instance of the Department of Internal Affairs be sentenced to pay a fine of five dollars for each day's delay beyond [said sixty days] the date herein before fixed and costs. All fines recovered shall be for the use of the Commonwealth.

The report to the Department of Internal affairs shall be presented in the form as provided in section [one thousand eight hundred and twelve] 1812 of this act.

Section 4. Sections 2511, 2515 and 2520 of said act are hereby amended to read as follows:

Section 2511. Time of Completion of Assessments.—The assessor shall complete his triennial assessment and the annual assessments in intervening years on or before the first day of [September] December in each year [or as

soon thereafter as practicable. He may with the approval of the board of revision and appeals add to the duplicates in the hands of the city treasurer any subject of taxation omitted therefrom and rectify any and all errors and mistakes therein.

Section 2515. New Assessments.—The council in any year other than a triennial year if it shall deem a new assessment necessary may [on or before the first day of May] issue its precept to the city assessor and by ordinance or resolution require him to make out and return a full, just and equal assessment of property within the city or such parts thereof as may be deemed advisable.

Section 2520. Custody of Assessment Books, Completion of Work of Board.—The board of revision of taxes and appeals shall procure and have the custody and control of all books relating to assessment of city taxes and keep them arranged according to wards and dates and shall furnish the city assessor the necessary books for making the assessment which on the completion of such assessment shall be returned to such board of revision of taxes and appeals. The board shall complete its labors and the hearing and determination of all appeals on or before the [first day of December] fifteenth day of March of each year [or as soon thereafter as practicable] after which the assessment shall be copied by wards into a tax duplicate or duplicates for the use of the city. The assessment so corrected and copies shall be and remain a lawful assessment for the purpose of city taxation until altered as provided in this article.

Section 5. Section 2551, of said act as amended by the act, approved the third day of July, one thousand nine hundred forty-seven (Pamphlet Laws 1233) is hereby further amended to read as follows:

Section 2551. Tax Levies.—The council of each city may by ordinance levy and provide for the collection of the following taxes,

1. A tax for general revenue purposes not to exceed fifteen mills on the dollar in any one year on all persons and property taxable according to the laws of the Commonwealth for county purposes the valuation of such property to be assessed as hereinbefore provided.

2. A tax in addition to the above on all persons and property taxable for county purposes for the payment of interest on bonded indebtedness and for sinking fund requirements for the payment of loans.

3. A poll-tax for general revenue purposes not exceeding five dollars annually on all inhabitants above the age of twenty-one years.

Any ordinance of council fixing the rate of taxation for any year at a mill rate shall also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property.

The council shall make its tax levy on or before the seventh day of May of each year commencing with the year 1950. For the temporary fiscal period from the first Monday of January 1950 and ending with the thirtieth day of June 1950 council may but need not make a tax levy but if made it shall be made on or before the thirty-first day of December 1949 and the rate of the tax shall not exceed one-half of the maximum rate specified in this section.

Section 6. Section 2557 of said act, as amended by the act approved the twenty-first day of June, one thousand nine hundred and thirty-five (Pamphlet Laws 363) is hereby further amended to read as follows:

Section 2557. Date of Delivery of Duplicate, Collection.—The council of each city [and the poor authorities now empowered or which may be hereafter empowered to levy taxes upon property and persons within the city] shall [on or before the first day of March in] for each fiscal year or fiscal period make out and deliver their [respective duplicates] duplicate of taxes assessed to the city treasurer as the collector of said taxes which shall be collected by the city treasurer by virtue of his office as

aforsaid. Such duplicates shall be delivered on or before January 25th, 1950 for the temporary fiscal period commencing on the first Monday of January 1950 and ending with June 30th 1950 and on or before June 15th 1950 and each year thereafter for each fiscal year. The proper county and school authorities shall make out and deliver the county and school duplicates of their respective taxes in such city at the time and in the manner provided by the county and school laws of the Commonwealth. All duplicates of taxes placed in the hands of said treasurer shall at all times be open to proper inspection of the taxpayers and of the proper auditing and examining officers of said city, county, or school district as the case may be and shall be delivered by said treasurer at the expiration of his term to his successor in office.

Section 7. Section 2576 of said act is hereby amended to read as follows:

Section 2576. Time of Holding Sales.—Such sales shall be made on the [first Monday of June, in the year succeeding the year in which the respective taxes are assessed and levied] on the dates hereinafter specified or on any day to which such sale may be adjourned or on [any first Monday of June] the day fixed for such a sale succeeding year.

In the year 1950 the date for such sale for delinquent taxes for the year 1949 and previous years shall be the first Monday of June. The sale for delinquent taxes for the temporary fiscal period commencing on the first Monday of January 1950 and ending with June 30th 1950 shall be held on August 15th 1951. Thereafter sales shall be held on the 15th day of August of the year succeeding the end of each fiscal year for which the taxes are delinquent."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendment:

Amend Sec. 3, page 6, line 2, by striking out the figure "3" and inserting in lieu thereof "8".

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. ROBERTSON offered the following amendments:

Amend Title page 1 lines 1 and 2 of title by striking out "sections one thousand eight hundred four and one thousand eight hundred nine of".

Amend Title page 1 last line of title by inserting after the word "budgets" the following: "changing the fiscal year of cities of the third class; providing for a temporary fiscal period to effectuate such change and regulating tax assessments levies budgets audits and financial reports of such cities."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered To be transcribed for third reading.

Agreeably to order

The House proceeded to the second reading and consideration of Senate Bill No. 877, entitled:

An Act establishing the Pennsylvania State Firemen's Training School providing for its operation and maintenance by the Department of Public Instruction authorizing

the acquisition of a site either by gift or purchase by the Commonwealth or by The General State Authority or the use of land now owned by the Commonwealth providing for the erection or construction and the furnishing and equipping of the buildings and structures by The General State Authority and the leasing thereof by the Commonwealth and conferring powers and imposing duties upon the Department of Public Instruction and the Public Service Institute Board

The first to fifth sections inclusive were separately read and agreed to.

The sixth section was read.

On the question

Will the House agree to the section?

Mr. FLEMING offered the following amendemnts:

Amend Sec 6 page 4, line 9, by striking out the word "centrally".

Amend Sec. 6, page 4, by inserting after the word "located" the following: "in or adjacent to the borough of Lewistown."

They were agreed to.

The section was agreed to as amended.

The seventh to ninth sections inclusive were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. FLEMING offered the following amendment:

Amend Title, page 1, line 1 of title, by inserting after the word "School" the following: "in or adjacent to the borough of Lewistown".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 879, entitled:

An Act to amend the first paragraph and clauses (1) and (3) of subsection (b) of section two hundred one, of the act approved the fifth day of December, one thousand nine hundred thirty-six, (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing for the erection of buildings for the administration of said act on land in or in the immediate vicinity of the City of Harrisburg presently owned by the Commonwealth, and the conveyance or leasing of such land to persons, firms or corporations for such purpose, and for the leasing of such buildings to the Commonwealth, the same to become the property of the Commonwealth upon termination of such lease.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 883, entitled:

An Act to amend the title and act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 386) entitled "An act providing for the establishment construction operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains through bordering or accessible to the counties of Monroe Northampton Carbon Luzerne Lackawanna Wayne and Pike to be known as the 'Rim Parkway' providing for the creation of the Pennsylvania Parkway Commission and conferring powers and imposing duties on said commission authorizing the issuance of parkway revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such parkway providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the parkway making such bonds exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such parkway shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission conferring powers and imposing duies on the Department of Highways authorizing the issuance of parkway revenue refunding bonds and making an appropriation" by changing the name and extending the length of the parkway establishing the parkway as a memorial providing that the costs of making surveys estimates of costs and plans for construction shall be paid from the proceeds of bonds issued by the commission and repealing the appropriation previously made

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 885, entitled:

An Act for the government management and control of county jails and prisons in counties of sixth seventh and eighth classes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 890, entitled:

A Joint Resolution proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto Section twenty-two

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 893, entitled:

An Act to amend subsection (a) of section one thousand five hundred eighteen of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to

private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing provisions for text books on fire dangers and prevention of fire waste

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 896, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions for the classification of school districts

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 897, entitled:

An Act to further amend subsection A of section one thousand twelve of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by authorizing banks and trust companies to make loans on security of bonds secured by mortgages upon real property situated within the Commonwealth when said mortgages are insured by the United States Department of Agriculture

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 899, entitled:

An Act to amend subsection (b) of section one thousand one hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators

thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing cities of the third class and boroughs to remove and impound vehicles

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 902, entitled:

An Act to amend section two of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employees and imposing penalties" by further providing for the collection of delinquent taxes in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 905, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by exempting from taxation the volume of business derived from certain sales of trade-ins

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 909, entitled:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 913, entitled:

An Act giving to cities boroughs and townships certain temporary powers regarding rent control

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 917, entitled:

An Act to amend the title and section one of the act approved the twenty-third day of May one thousand nine hundred forty-seven (P. L. 293) entitled "An act permitting certain personnel of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases" by including managers of veterans administration hospitals within the provisions of the act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 926, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey or to lease subject to certain terms and conditions a certain tract of land and a certain right of way in the Township of Upper Saint Clair County of Allegheny Pennsylvania

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 933, entitled:

An Act to amend section five hundred one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by making more inclusive the territory which may be annexed to any city of the third class

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 936, entitled:

An Act to amend sections two three four five six seven and eight of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for

fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" by defining substandard anthracite requiring producers dealers and persons engaged in the sale of anthracite to issue certain statements and keep certain records and changing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 939, Printer's No. 615 and

Senate Bill No. 941, Printer's No. 616

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 944, entitled:

An Act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 945, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the examination and clinical treatment of pupils by psychologists and psychiatrists

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 951, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 956, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation

of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the uniformity control and erection of traffic signs signals and markings

The first section was read.  
On the question,  
Will the House agree to the section?  
Mr. DENNISON offered the following amendments:  
Amend Sec. 1 (Sec. 1105), page 4, line 6, by inserting ing a bracket before the word "system."  
Amend Sec. 1 (Sec. 1105), page 4, line 6, by striking out the bracket before the word "adopted."  
Amend Sec. 1 (Sec. 1105), page 4 line 9 by striking out the words "of standards" and inserting in lieu thereof: "Manual on Uniform Traffic Control Devices."  
Amend Sec. 1 (Sec. 1105), page 4, lines 9 and 10, by striking out the words "on Uniform Traffic Control Devices comprised."  
Amend Sec. 1 (Sec. 1105), page 4, line 13, by inserting after the words "forty-eight" the following: "and amendments thereto."  
Amend Sec. 1 (Sec. 1110), page 4, line 19, by inserting a bracket after the word "Whenever" and inserting immediately thereafter: "For the purposes of achieving desirable standards of uniformity wherever."  
Amend Sec. 1 (Sec. 1110), page 4, line 19, by striking out the bracket after the word "permit."  
Amend Sec. 1 (Sec. 1110), page 5, line 1, by striking out the bracket before the word "they."  
Amend Sec. 1 (Sec. 1110), page 5, line 4, by striking out the bracket after the word "highway."  
Amend Sec. 1 (Sec. 1110), page 5, line 7, by inserting after the word "area" the following: "Whenever the Secretary of Highways shall determine that such location is not effective for the purposes of safety or visibility he may within his discretion authorize any other type of installation as provided in the Manual of Uniform Traffic Control Devices herein referred to."

They were agreed to.  
The section was agreed to as amended.  
The title was read and agreed to.  
And said bill having been read at length the second time and agreed to as amended.  
Ordered, To be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 957, entitled:

An Act to amend section nine hundred fifteen of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising

and consolidating the law relating thereto" by further providing for city expenditures for city business

And said bill having been read at length the second time and agreed to,  
Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection  
Senate Bill No. 959, Printer's No. 623  
was passed over at the request of the SPEAKER.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 960, entitled:

An Act authorizing the Department of Forests and Waters to accept on behalf of the Commonwealth certain real estate situate in Elk County subject to the reservations in the chain of title

And said bill having been read at length the second time and agreed to,  
Ordered, To be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 963, entitled:

An Act to amend subsection (b) of section one thousand three hundred seventy-six and subsection (b) of section one thousand three hundred seventy-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing payments by the Commonwealth for instruction of parents of certain blind children in caring for such children

And said bill having been read at length the second time and agreed to,  
Ordered, To be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 967, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Mansfield State Teachers College to acquire a tract of land for the use of Mansfield State Teachers College and making an appropriation therefor

And said bill having been read at length the second time and agreed to,  
Ordered, To be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 621, entitled:

An Act to amend the title and the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1433) entitled "An act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the State Council of Education and prescribing penalties" by transferring the administration of this act to the State Board of Private Correspondence Schools changing definitions bringing eleemosynary institutions

within the provisions of the act eliminating the advisory committee regulating the advertising and soliciting for students by private correspondence schools requiring the registration of agents of such schools where their home office is outside of this Commonwealth and providing for a separate non-transferable license for each school.

The first section was read.

On the question,

Will the House agree to the section?

Mr. STUART offered the following amendments:

Amend Sec. 1 (Sec. 11), page 13, lines 5, 6 and 7 by striking out the words "Under the provisions of this act the Board may refuse to issue" in line 5, all of line 6, and the words "may be revoked or suspended by the Board for cause" in line 7 and inserting in lieu thereof: "Under the provisions of this act the board shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the board shall find:

(1) That the licensee has violated any of the provisions of this act or any of the rules and regulations of the board.

(2) That the applicant or licensee has knowingly presented to the board false, incomplete, or misleading information relating to licensure.

(3) That the applicant or licensee has pleaded guilty, entered a plea of nolo contendere, or has been found guilty of a crime involving moral turpitude by a judge or jury in any State or Federal court.

(4) That the applicant, licensee, or any employee in a school which is amenable to this act is addicted to the use of morphine, cocaine, or other drugs having a similar effect, or is or shall become mentally incompetent.

(5) That the applicant or licensee has failed or refused to permit the board and/or its representatives to inspect the school or classes or has failed or refused to make available to the board at any time when requested to do so, full information pertaining to any or all items of information contained in an application for a license or pertaining to the program of instruction and matters relating thereto.

(6) That the applicant has failed or refused to submit to the board an application for license in the manner and form prescribed by the board.

(7) That a licensed school has failed or refused to display the current approved license where it may be inspected by students, visitors, and designated officials of the board.

(8) That a licensed agent has failed or refused to display or produce his license when requested to do so by prospective students or designated officials of the board.

(9) That the licensee has perpetrated or committed fraud or deceit in advertising the school or in presenting to prospective students written or oral information relating to the school, to employment opportunities, or to opportunities for enrollment in institutions of higher learning.

(10) That the licensee is employing teachers, supervisors, or administrators, who have not been approved by the board, or agents who have not been licensed by the board.

(11) That the licensee has failed to provide and maintain adequate equipment, materials, or supplies.

(12) That the licensee has failed to provide and maintain adequate standards of instruction including correction service or an adequate and qualified administrative, supervisory, or teaching staff.

(13) That the applicant or licensee is unable to provide and maintain financial resources in sufficient amount to maintain adequately and effectively the instructional service it proposes and advertises.

(14) That the licensee has offered training or instruction in courses or subjects which have not been approved and authorized by the board.

(15) That a licensed agent has solicited prospective students to enroll in a school which has not been approved by the board and which is not listed on the license issued by the board."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 939, entitled:

An Act making bonds of school districts valid and binding obligations of such districts despite failure to advertise election in a newspaper of general circulation

The first section was read.

On the question,

Will the House agree to the section?

Mr. STUART offered the following amendment:

Amend Section 1, page 1, line 1, by inserting after the word "shall" the following: "heretofore."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 970, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and of the United States of America to sell at public sale to the highest bidder a part of certain real estate located in Dauphin County recently acquired by the Commonwealth from the Reconstruction Finance Corporation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 975, entitled:

An Act to facilitate vehicular traffic in the eastern section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near the City of Scranton in Lackawanna County to connect with the Pennsylvania Turnpike at such point near Harrisburg as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances re-

quiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes and relocations and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue re-funding bonds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 976, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers College to acquire a tract of land for the use of Indiana State Teachers College and making an appropriation therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 977, entitled:

An Act to authorize any administrative department board commission agency or instrumentality of the Commonwealth and in its behalf with the approval of the Governor to sell assign or transfer any lands easements or rights in lands together with improvements and any contracts or agreements to any Authority created by the General Assembly of the Commonwealth to enter into contracts with such Authority and repealing certain Acts of Assembly

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 978, Printer's No. 656  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 979, entitled:

A Supplement to the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by authorizing counties at their option to levy a two mill personal property tax for the temporary fiscal period between the first Monday of January one thousand nine hundred fifty and the thirtieth day of June one thousand nine hundred fifty under certain circumstances and providing for returns payment and penalties in such cases

The first section was read.

On the question,

Will the House agree to the section?

Mr. JOHNSON offered the following amendments:

Amend Section 1, page 3, line 2, by striking out after the word "purposes" the following: "and in cities coextensive with counties for city."

Amend Section 1, page 3, line 3, by striking out the words "and county purposes" and inserting in lieu thereof the following: "in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. JOHNSON offered the following amendments:

Amend Section 2, page 3, line 13, by striking out after the word "county" the following: "accepting the provisions of this supple-".

Amend Section 2, page 3, line 14, by striking out the part word "ment" at the beginning of the line, and inserting in lieu thereof the following: "deciding to make such tax levy of two mills for such temporary fiscal period."

Amend Section 2, page 3, line 19, by inserting after the word "of" the following: "section one of."

Amend Section 2, page 4, line 7, by inserting after the word "supplement" the following: "as provided by existing law."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. JOHNSON offered the following amendments:

Amend Section 3, page 4, lines 8 to 12, inclusive, by striking out all of said lines, and inserting in lieu thereof the following: "Section 3. For the purpose of ascertaining the amount of tax at the rate of four mills under the act to which this act is a supplement, in any county of the second, third, fourth, fifth, sixth, seventh and eighth classes for the regular fiscal years after the temporary fiscal period provided for in sections one and two of this act, it shall be the duty of every resident, liable to pay such tax, on or before the first day of May of the year one thousand nine hundred fifty, and of each year thereafter to transmit to the board for the revision of taxes, the board of property assessment, appeals and review, or the county commissioners, as the case may be, upon a form prescribed, prepared and furnished by said board, or county commissioners, a certified return as provided in that act."

Section 4. The board of revision of taxes, the board of property assessment, appeals and review, or the county commissioners, as the case may be, shall fix a day as of which the property taxable by the act to which this act is a supplement shall be listed and returned. The day so fixed shall be between the first and fifteenth days of April, both inclusive, of the year one thousand nine hundred fifty, and of each year thereafter, and the day so fixed shall be printed or stamped on the forms for making returns on all such property. If through inadvertence, mistake, or otherwise, said board or county commissioners, fail to designate or fix such date, or if such date does not appear on the form for making return of such property, the date as of which such property shall be listed and returned shall be the first day of April immediately preceding the date for transmitting the return prescribed by section three of this act.

Section 5. The returns required to be transmitted by section three hereof shall be deemed to be the returns re-

quired under the act to which this act is a supplement for the fiscal years beginning the first day of July of the year one thousand nine hundred fifty and of each year thereafter, and shall be in lieu of the returns now required to be made under the act to which this is a supplement.

Section 6. So much of any act as is inconsistent with this act is hereby repealed."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. JOHNSON offered the following amendments:

Amend Title, page 2, line 1 of the title, by inserting after the word "counties" the following: "of the second, third, fourth, fifth, sixth, seventh and eighth classes."

Amend Title, page 2, line 5 of title, by striking out the word "and" at the end of the line.

Amend Title, page 2, line 6 of title, by inserting after the word "cases" at the end of the line, the following: "and providing and changing the time for the making of returns by taxpayers of taxable property for fiscal years commencing July first, one thousand nine hundred fifty and each year thereafter in said counties for the payment of the tax on personal property at the rate of four mills as provided by existing law."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 980, entitled:

An Act to amend Sections six eight and nine of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by increasing the amount of the bond to be furnished by an operator and clarifying the provisions requiring a bond and further regulating the furnishing of bonds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 981, entitled:

An Act to further amend clause (a) of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts

due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating refunds with the Board of Finance and Revenue

The first section was read.

On the question,

Will the House agree to the section?

Mr. BRUNNER offered the following amendment:

Amend Section 1, page 4 line 13, by inserting after the syllable "monwealth" the following words: "borne by the petitioner."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 982, Printer's No. 673,

Senate Bill No. 983, Printer's No. 674,

Senate Bill No. 984, Printer's No. 675 and

Senate Bill No. 985, Printer's No. 688

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 986, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of West Chester State Teachers College to acquire two tracts of land for the use of West Chester State Teachers College and making an appropriation therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 987, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Cheyney Training School for Teachers to acquire a tract of land in Delaware County for the use of Cheyney Training School for Teachers and making an appropriation therefor

The first section was read.

On the question,

Will the House agree to the section?

Mr. WOOD offered the following amendment:

Amend Sec. 1, page 2, line 7, by striking out the figures "16,408" and inserting in lieu thereof: "16,408."

The second to fourth sections inclusive and title were read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 959, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by prohibiting soliciting or accepting gifts or donations from teachers or supervisors by school directors authorizing withholding of State appropriations clarifying the term "professional employe" changing provisions for minimum salaries of part-time teachers supervisors and principals and State reimbursement therefor and providing for part-time and evening vocational classes schools departments and programs attendance thereat in other districts and reimbursement therefor between school districts

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. MADIGAN offered the following amendments:

Amend Sec. 2 (Sec. 2507), page 6, line 20, by striking out the word "Adult."

Amend Sec. 2 (Sec. 2507), page 7, line 3, by striking out the word "adult."

Amend Sec. 2 (Sec. 2507), page 7, line 7, by striking out the word "adult."

Amend Sec. 2 (Sec. 2507), page 7, line 9, by striking out the words and figures "seventy-five cents (\$2.75)" and inserting in lieu thereof: "fifty cents (\$2.50)."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. MADIGAN offered the following amendments:

Amend Sec. 3 (Sec. 2561), page 8, line 4, by striking out the word "adult" and inserting in lieu thereof: "or other."

Amend Sec. 3 (Sec. 2561), page 8, line 8, by striking out the word "adult" and inserting in lieu thereof: "or other."

Amend Sec. 3 (Sec. 2561), page 8, line 11, by striking out the word "Adult" and inserting in lieu thereof: "or other."

Amend Sec. 3 (Sec. 2561), page 8, line 16, by striking out the word "adult" and inserting in lieu thereof: "or other."

Amend Sec. 3 (Sec. 2561), page 8, line 18, by striking out the word "adult" and inserting in lieu thereof: "or other."

Amend Sec. 3 (Sec. 2561), page 8, line 19, by striking out the word "adult" and inserting in lieu thereof: "or other."

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. MADIGAN offered the following amendments:

Amend Sec. 4 (Sec. 2562), page 9, line 14, by striking out the word "adult" and inserting in lieu thereof: "or other."

Amend Sec. 4 (Sec. 2562), page 9, line 15, by striking out the word "adult."

Amend Sec. 4 (Sec. 2562), page 9, line 17, by striking out the word "adult" and inserting in lieu thereof: "or other."

Amend Sec. 4 (Sec. 2562), page 10, line 2, by striking out the word "adult" and inserting in lieu thereof: "or other."

Amend Sec. 4 (Sec. 2563), page 10, line 7, by striking out the word "adult."

Amend Sec. 4 (Sec. 2563), page 10, line 11, by striking out the word "adult."

Amend Sec. 4 (Sec. 2563), page 10, line 13, by striking out the word "adult" and inserting in lieu thereof: "or other."

Amend Sec. 4 (Sec. 2564), page 11, line 1, by striking out the word "adult."

They were agreed to.

The section was agreed to as amended.

The fifth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

## BILL ON SECOND READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. ROBERTSON.

The House resumed the consideration on second reading of Senate Bill No. 674, entitled:

An Act to amend section four hundred one four hundred forty-one five hundred seven five hundred fifteen and five hundred sixteen of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by changing dates for the issuing of precepts to assessors for returns by assessors where optional assessments are made for the completion of transcripts of assessment and for the furnishing of duplicates

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## APPROPRIATION BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 229, as follows:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals for part of

the cost of training student nurses in approved schools of nursing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million dollars (\$1,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the two fiscal years commencing the first day of June one thousand nine hundred forty-nine to be paid to State aided medical and surgical hospitals for the purpose of reimbursing such hospitals for part of the cost of training student nurses in approved schools of nursing Payments from the appropriation herein made shall be made to such hospitals from time to time at the rate of seventy-five dollars (\$75) annually for each student nurse being trained in a hospital

Section 2 The provisions of this act shall be administered under regulations to be established by the Department of Welfare and the Auditor General

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenen,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Pengilase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Kris.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 247, as follows:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" by increasing the amounts which the counties school districts and townships will receive from the State for forest reserves

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" is hereby amended to read as follows

Section 1 Be it enacted etc That from and after the passage of this act all lands heretofore or hereafter acquired by the Commonwealth or by the Government of the United States for forest reserves or for the purpose of preserving and perpetuating any portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and which by existing laws are now exempt from taxation and all lands and property heretofore or hereafter acquired for the purpose of conservation of water or to prevent flood conditions upon which a tax is imposed by existing laws payable by the Commonwealth shall hereafter be subject to an annual charge of [one cent] two and one-half cents per acre for the benefit of the county in which said lands are located two and one-half cents per acre for the benefit of the schools in the respective school districts in which such lands are located and two and one-half cents per acre for the benefit of the roads in the township where such lands are located which charge shall be payable by the Commonwealth The annual charge payable by the Commonwealth on land acquired by the Government of the United States for forest reserves is to continue only until the receipts of money by treasurers and road supervisors of the said counties and school districts and townships in which national forest reserves are located provided for in act of April twenty-seventh one thousand nine hundred twenty-five (P. L. 324) shall equal or exceed the amount paid by the Commonwealth in lieu of taxes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembockl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Wescott,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 330, as follows:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifty thousand dollars (\$150,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the use of the Land Grant College of Pennsylvania engaged by the Department for the purpose of advancing research and demonstrations on improvement in nutritional status and consequent improvement in physical well-being of civilians based on research work now in progress The Department of Health shall commission said research work and demonstrations to said Land Grant College and remain in an advisory capacity so as to benefit by such results of the research and demonstrations as may ensue The moneys so appropriated shall be advanced to the Land Grant College of Pennsylvania at such time or times and in such amounts as the college shall request

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembockl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 465, as follows:

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary secondary and vocational schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars (\$200,000) or as much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the purpose of revising the elementary secondary and vocational curricula in the public school of the Commonwealth in accordance with the provisions of Act 551 approved July seven one thousand nine hundred forty-seven (P. L. 1427) for the two fiscal years commencing June first one thousand nine hundred forty-nine

Section 2 All moneys collected from the sale of any publications issued pursuant to said act shall be paid into the General Fund and credited to the foregoing appropriation and are hereby appropriated for the same purposes in addition to the amount hereinbefore appropriated

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Smith, C. C.,	Smith, W. B.,
Bower,	Guthrie,	Mills,	Snider,
Brandon,	Hagerty,	Mintess,	Sollenberger,
Breisch,	Hall,	Monroe,	Spencer,
Breth,	Hamilton,	Moore, C. E.,	Stank,
Brice,	Harney,	Moore, H. A.,	Sternberg,
Brown, H. S.,	Harris,	Moran,	Stimmel,
Brown, W. E.,	Haudenshield,	Munley,	Stuart,
Brunner,	Heatherington,	Murray,	Swope,
Bucchin,	Helm,	Musto,	Tahl,
Cadwalader,	Herman,	Nagel,	Taylor,
Clapper,	Hersch,	Najaka,	Thompson,
Clendenning,	Hewitt,	Needham,	Tompkins,
Cochran,	Hocker,	Neff,	Varner,
Cole,	Hoffman,	Nixon,	Verona,
Coleman,	Hoggard,	O'Dare,	Wachhaus,
Conway,	Hunter,	O'Donnell,	Wagner,
Cooper,	Jenkins,	Olsen,	Wargo,
Costa,	Jennings,	Orban,	Waterhouse,
Dalrymple,	Jim,	Penglase,	Watkins,
DeLong,	Johnson,	Pentrack,	Weidner,
Dennison,	Jones, G. E.,	Peta,	Weiss,
Depuy,	Jones, J. M.,	Petrosky,	Welsh,
Dougherty,	Jump,	Pettigrew,	Wescott,
Driscoll,	Kamyk,	Praff,	
Duffy,	Keller,	Polen,	
Dye,	Kemp,	Posta,	

Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank,

Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Leisey,  
Leonard,  
Limper,

Powers,  
Price, H. W., Jr.,  
Price, R. A.,  
Propert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Westrick,  
Wheeler,  
Williams,  
Wood,  
Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

## NAYS—0

## NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 501, as follows:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred thousand dollars (\$600,000) or as much thereof as may be necessary is hereby appropriated to the State Public School Building Authority for the payment of costs and expenses incurred in the work of the Authority under the State Public School Building Authority Act approved July 5 1947 (P. L. 1217)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rese,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Braadon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,

Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Wells,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	<b>Speaker</b>

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 504, as follows:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans soldiers sailors marines female field clerks yeomen (female) and nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars (\$40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs to be used during the fiscal biennium beginning June first one thousand nine hundred forty-nine for paying gratuities for the children between the ages of sixteen and twenty-one years of totally disabled veterans and of soldiers marines female field clerks yeomen (female) or members of the enlisted nurse corps of the United States who die or have died of Spanish-American War or World War service connected disabilities as certified from veteran administration records Such children must have lived in the Commonwealth of Pennsylvania for five years immediately preceding the date upon which the application is filed

Section 2 Gratuities shall be paid out of the appropriation made by this act for the account of such children as shall be certified by the State Veterans' Commission (1) as coming within the class described in section one of the this act and (2) as attending any State or State-aided educational or training institution of a secondary or college grade or other institution of higher education business school trade school hospital providing training for nurses school or institution providing courses in beauty culture art radio undertaking or embalming or such other educational training within this Commonwealth as approved by the State Veterans' Commission and (3) as being unable without such gratuity to pursue his or her education or training Payments not to exceed the sum of two hundred dollars (\$200) per school year per child shall be made to such institutions upon the sub-

mission by them of proof that bills have been incurred or contracted for matriculation fees and other necessary fees tuition board room rent books and supplies for such children in a definite amount for the school year Such proof shall be submitted to the State Veterans' Commission which shall attach the same to the requisitions prepared for payments out of the appropriations made by this act

Where a child within the class described is completing an educational or training course and arrives at the age of twenty-one years before completing the course the gratuity may be paid until the course is completed Provided however That gratuities may not be paid for any child for a longer period than four scholastic years

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buccin,	Felm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Cloenching,	Hewitt,	Needham,	Thompson,
Cochrane,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Wells,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	<b>Speaker</b>

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 508, as follows:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars (\$200,000) or as much thereof as may be necessary is hereby appropriated to the Department of Health for the maintenance and purchase of operating equipment of the Institute for Cancer Research Incorporated located at Fox Chase Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buccin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnar,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 660, as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of and the purchase of apparatus and equipment for the Western State Psychiatric Institute and Clinic and for the conduct of teaching and research on the cause treatment prevention and cure of the various types of nervous disorders and mental diseases and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million dollars (\$2,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred forty-nine for the general maintenance and operation of the Western State Psychiatric Institute and Clinic by the University of Pittsburgh and the purchase of such apparatus and equipment as the Trustees may deem necessary for the best interests of the purposes of the Institute and Clinic which purposes shall include the teaching of personnel for the staffs of the various mental institutions of the Commonwealth and the conduct of research in the causes treatment prevention and cause of the various types of nervous disorders and mental diseases in compliance with an act of the General Assembly providing for the lease of the Western State Psychiatric Institute and Clinic to the University of Pittsburgh

Section 2 Any income derived by the Board of Trustees of the University of Pittsburgh from the operation of the Western State Psychiatric Institute and Clinic shall be expended for the purpose of the operation and general maintenance of the said Institute and Clinic The Board of Trustees of the University of Pittsburgh shall not be required to use for the operation and maintenance of the Institute and Clinic any funds acquired by it for other purposes in order to receive the funds appropriated by this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,

Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dairymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Piaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL 897

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 897, Printer's No. 602, for the purpose of further consideration of an amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

#### RECONSIDERATION OF VOTE

Mr. BRUNNER. Mr. Speaker, I move that the vote by which House Bill No. 897 passed finally be reconsidered.

Mr. SCOTT. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Montgomery, Mr. Brunner vote on the final passage of this bill?

Mr. BRUNNER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Carbon,

Mr. Scott vote on the final passage of this bill?

Mr. SCOTT. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. BRUNNER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BRUNNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 8 of the title by inserting after the word "redemption" and before the word "of" the following: "and refunding."

Amend page 3, line 5 by inserting after the word "aggregate" and before the word "the" the following: "at any one time."

Amend page 5 by inserting between lines 8 and 9 the following: "Section 3.1. Refunding Bonds. The Governor Auditor General and the State Treasurer are hereby authorized to provide by resolution for the issuance of refunding bonds for the purpose of refunding any bonds issued under the provisions of this act and then outstanding either by voluntary exchange with the holders of such outstanding bonds or to provide funds to redeem and retire such outstanding bonds with accrued interest and any premium payable thereon at maturity or at any call date. The issuance of such refunding bonds the maturities and other details thereof of the rights of the holders thereof and the duties of the Governor Auditor General and the State Treasurer in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable. Refunding bonds may be issued by the Governor Auditor General and the State Treasurer to refund bonds originally issued or to refund bonds previously issued for refunding purposes."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing

#### SENATE MESSAGE

#### RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 27, 1949.

Whereas, For the past several years the matter of

raising funds by taxation for the support of the school district of the first class coterminous with the city of Philadelphia has been a paramount question before each session of the General Assembly of this Commonwealth; and

Whereas, With each year this problem has become more difficult to solve since the cost of maintaining adequate school facilities and the salaries of teachers have risen and because the general tax burden has become heavier; and

Whereas, The school district coterminous with Philadelphia has been existing from hand-to-mouth, so to speak, from biennium to biennium on temporary taxes prescribed by the General Assembly; and

Whereas, It is necessary that a fixed adequate solution be found to the financial problems of the school district of the first class coterminous with the city of Philadelphia in order that the schools there can be maintained on a level with schools in this State and in cities outside this Commonwealth of comparable size, in order that the tax burden of supporting such schools may be reasonably placed with certainty, and in order that the General Assembly need not concern itself biennium after biennium with such an involved problem over such a local matter; now therefore be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission is hereby directed to investigate, study and determine the present and future financial needs of the school district of the first class coterminous with the city of Philadelphia with particular emphasis on a comparison of Philadelphia's problems as compared with those of other large cities and considering all factors including trends in school population, pupil-teacher ratio, and school building construction; and be it further

Resolved, That the commission shall attempt to formulate a basis for permanent forms of taxation to meet the financial requirements of such school district; and be it further

Resolved, That the commission shall report its findings and recommendations to the next session of the General Assembly and shall propose legislation embodying the results thereof.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

### COMMITTEE MEETING

The SPEAKER. The Chair wishes to announce that immediately upon calling the recess the gentleman from Schuylkill, Mr. Watkins, who is the Chairman of the Committee on State Government, plans a very brief but extremely important meeting of that Committee in room 324.

### REPORT FROM COMMITTEE

Mr. BOWER from the Committee on Rules reported as committed House Resolution No. 72.

### CAUCUS

The SPEAKER. The Chair announces that there will be a Republican Caucus in the new House Caucus Room at 1:15 p. m. E.S.T.

There will be a Democratic Caucus in the old House Caucus Room at the same time.

### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 2:00 p. m., E.S.T. The Chair hears none, and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 26.

An Act to reenact section four of the act approved the fourth day of April one thousand seven hundred ninety-eight (3 Smith Laws 331) entitled "An act limiting the time during which judgment shall be a lien on real estate and suits may be brought against the sureties of public officers" relating to the time suits may be brought against sureties of public officers.

#### HOUSE BILL No. 138.

An Act providing for the payment of moneys to political subdivisions the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the purpose of securing the payment or repayment of money due the Commonwealth

#### HOUSE BILL No. 140.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by defining the resident of certain children living upon State owned property and providing for certain Commonwealth reimbursements.

#### HOUSE BILL No. 182.

An Act to amend section one of the act approved the fifth day of July one thousand nine hundred forty-seven (Appropriation Acts page 53 Act No. 62-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the Commonwealth and the amount of the total appropriation.

#### HOUSE BILL No. 195.

An Act to amend article eleven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing for restitution in offenses against personal property

#### HOUSE BILL No. 395.

An Act authorizing the conveyance of the interest of either former spouse after a divorce to the other without the joinder of the other of such former spouse's interest in real estate which is held by them as tenants by the entirety and validating such conveyances formerly made.

#### HOUSE BILL No. 417.

An Act to amend section four hundred thirteen and to add section four hundred thirteen point one to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (Pamphlet Laws 872) entitled

"An act to consolidate amend and revise the penal laws of the Commonwealth" by further penalizing the furnishing of false or libelous statements of matter for publication or broadcast.

#### HOUSE BILL No. 418.

An Act to add section four hundred eighteen to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by creating an additional crime of loitering and prowling at night.

#### HOUSE BILL No. 486.

An Act to further amend section seven hundred nineteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," by changing the dog training period.

#### HOUSE BILL No. 519.

An Act to further amend section nine of the act approved the thirty-first day of March one thousand eight hundred sixty (P. L. 427) entitled "An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" by providing for the entry of nolle prosequi in certain fraudulent conversion cases.

#### HOUSE BILL No. 535.

An Act defining and prohibiting unfair sales of cigarettes conferring powers and imposing duties on the Department of Revenue and on persons as herein defined engaged in the sale of cigarettes at retail or wholesale providing for the suspension and revocation of Cigarette Tax Permits and providing remedies and penalties for violations.

#### HOUSE BILL No. 701.

An Act to amend section one thousand three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the State Council of Education to fix qualifications of assistant county superintendents

#### HOUSE BILL No. 861.

An Act to reenact and amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain officers and employes and imposing penalties" by continuing the mercantile license and tax for the year one thousand nine hundred and fifty and succeeding years in school districts of the first class.

#### HOUSE BILL No. 862.

An Act to amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes

receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by continuing the provisions of the act for 1950 and succeeding years in certain school districts of the first class and by imposing certain duties on school treasurers in certain school districts of the first class and relieving county treasurers of certain duties under this act.

#### HOUSE BILL No. 886.

An Act to amend section five of the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1944) entitled as amended "An act providing for the erection construction and equipment of a new Pennsylvania Industrial School, to take the place of the present Pennsylvania Industrial School at Huntingdon designating the manner of acquiring or setting aside of land for the erection and construction of the new school by The General State Authority authorizing the Commonwealth to lease the new school and its grounds from The General State Authority upon its completion providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon creating the Board of Trustees of the Pennsylvania Industrial School defining its powers and duties and conferring powers and imposing duties upon certain State departments boards commissions and officers" by further prescribing the length of term a person can be imprisoned in said institution.

#### HOUSE BILL No. 925.

An Act to amend subsection (a) of section nine hundred thirty-eight of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the number of permits for special dog training areas throughout the Commonwealth.

#### HOUSE BILL No. 932.

An Act to further amend section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that salaries of tax collectors their deputies clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes and requiring certain payments by the taxing district.

#### HOUSE BILL No. 1025.

An Act to add section one thousand one hundred forty-four point one to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for salaries for teachers of applied art and vocational subjects.

#### HOUSE BILL No. 1069.

An Act to provide for the creation within the Department of Public Instruction of a Division of Radio and Audio-Visual Education establishing within such Division a lending and exchange library of records transcripts scripts films slides projectors and other necessary equip-

ment and material imposing certain duties upon the Superintendent and Department of Public Instruction and making an appropriation.

#### HOUSE BILL No. 1070.

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" by correcting an error in the salary of the coroner.

#### HOUSE BILL No. 1107.

An Act to amend sections three hundred sixteen and three hundred seventeen of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the method of filling vacancies in the boards of school directors in certain cases.

#### HOUSE BILL No. 1189.

An Act to amend section twelve of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" by further regulating certain permissible charges.

#### HOUSE BILL No. 1303.

An Act making an appropriation to the Lancaster Heart Association to be used for carrying on its purposes of research study treatment prevention and care of rheumatic fever and diseases of the heart to provide convalescent care and hospital treatment in such cases and for renovation and equipment of real property.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### CONCURRENT RESOLUTION

#### RECALLING HOUSE BILL No. 265

Mr. GOODLING offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, April 27, 1949.

Resolved (if the Senate concur), that House Bill No. 265, Printer's No. 138, entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined", be recalled from the Governor for further amendments.

Ordered, That the Clerk present the same to the Senate for concurrence.

### SENATE MESSAGE

#### RECALLING SENATE BILL No. 688

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 27, 1949.

Resolved (if the House of Representatives concur) that Senate Bill No. 688, Printer's No. 349, entitled "An act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled 'An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto' establishing one procedure for changing altering or establishing the width lines locations or grades of State highways in townships and boroughs and incorporated towns," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### ANNOUNCEMENT

The SPEAKER. The Shrine circus to which the members of the House have been invited is being held in the Farm Show Arena at 11th and Maclay Streets. The performance begins at 8 P. M., Daylight Time. There is ample parking space for those who drive. Harrisburg Railway buses, marked Shrine Circus will be leaving Market Square every few minutes for those who desire to go by bus.

The Members of the House are seated together.

Your ticket will be given to you this afternoon. If you cannot attend please do not accept your ticket.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 33, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating reimbursement by the Commonwealth.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SCHMIDT offered the following amendments:

Amend Sec. 1, Page 2, line 1, by inserting after the word "Clauses" "(4)".

Amend Sec. 1 (Sec. 2501), page 2, by inserting between lines 11 and 12, the following: "(4) 'Minimum Subsidy' shall designate the minimum amount per teaching unit payable by the Commonwealth to any school district or vocational school district under the provisions of this act. The minimum subsidy shall be [eight hundred dollars (\$800)] one thousand dollars (\$1000)".

On the question,

Will the House agree to the amendments?

Mr. SCHMIDT. Mr. Speaker, the amendments as offered change the minimum subsidy to be paid to the school districts from eight hundred dollars, as now appears in the bill, to one thousand dollars.

I know whereof I speak when I say to this House that unless the minimum subsidy is raised it will be impossible for the teachers, particularly in the city of Pittsburgh who are receiving little salaries, to receive any increase other than what is provided for by the act which we passed prior to the presentation of the bill to the Senate. I am asking you in all fairness to the teachers of this state to increase the state subsidy to the various school districts so that they will be able to receive an increase over and above the minimum as set forth in the state act.

Mr. SOLLENBERGER. Mr. Speaker, may I call attention to the fact that it is unfair to the teachers to insert this amendment. I don't believe that I have ever been blamed for working against the teaching profession in this House, but here is a case in which we must object.

An agreement has been reached upon this bill, this subsidy bill, Senate Bill 33. Any change in the amount upward of the subsidy means more state money, and we cannot procure the money. We have come to an agreement and have been told that this much is the amount that we are to have in the bill and therefore we do not want anything to happen on the floor that will in any way hinder the passage of this bill. We must have this bill become law if House Bill 454 is to be workable and the money is to be paid to the various districts to carry out the provisions of that bill. I certainly must ask the members of this House to vote down these amendments.

Mr. ANDREWS. I wish to interrogate the Chairman of the Education Committee.

The SPEAKER. Will the gentleman from Blair, Mr. Sollenberger permit himself to be interrogated?

Mr. SOLLENBERGER. I shall, Mr. Speaker.

Mr. ANDREWS. When, where and with whom was an agreement made concerning legislation pending on this floor with regard to matters discussed in Senate Bill No. 33.

Mr. SOLLENBERGER. Mr. Speaker, the Committee that met on House Bill 454 discussed the amount of money that would be available for that bill, which naturally brought this bill into the picture.

Mr. ANDREWS. Mr. Speaker, a further inquiry.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. SOLLENBERGER. I shall, Mr. Speaker.

Mr. ANDREWS. Who, where and when, who determined the amount of money? From what source did the Committee on Education receive the final decree that governed its action?

Mr. SOLLENBERGER. Mr. Speaker, in reply to the gentleman's question, the three Members of the Senate and three or four Members of the House in conference discussed this proposal and then discussed it with the budget office and with other people who would have some say in these results, and this amount of money was the conclusion of that conference.

Mr. ANDREWS. Mr. Speaker, one further question. Who other than the Members of this General Assembly

are in a position to say how much shall or shall not be spent for a particular purpose?

Mr. SOLLENBERGER. Mr. Speaker, I presume that the amount of money that can be spent for any particular item is definitely settled by the House and the Senate, but in having a bill signed it might mean that others have something to do with that, and we wanted to make sure that the two bills would have the proper signature and that both of them would become law.

Mr. ANDREWS. I thank the gentleman. He has answered the question on the third inquiry that he could and should have answered on the first inquiry. The responsibility has been placed by the Chairman of the Education Committee squarely where it belongs, on the desk of his Excellency, The Governor, who has indicated in advance of legislation the amounts that he will or will not approve, thus circumscribing and circumventing legislative discretion upon the part of the Members of the General Assembly.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER declared the "nays" appear to have it,

Whereupon, a division was called for, eighty-three Members voting in the affirmative, and ninety-eight in the negative, the question was determined in the negative and the amendments were not agreed to

On the question recurring

Will the House agree to the section?

Mr. SCHMIDT offered the following amendments:

Amend Sec. 1, Page 2, line 1, by inserting after the word "Clauses" "(4)".

Amend Sec. 1, (Sec. 2501), page 2, by inserting between lines 11 and 12, the following: "(4) 'Minimum Subsidy' shall designate the minimum amount per teaching unit payable by the Commonwealth to any school district or vocational school district under the provisions of this act. The minimum subsidy shall be [eight hundred dollars (\$800)] eight hundred and fifty dollars (\$850)".

On the question,

Will the House agree to the amendments?

Mr. SCHMIDT. Mr. Speaker, the prior amendment which was voted upon would have increased the minimum subsidy from eight hundred to one thousand dollars. The amendment which is now before the House would increase this minimum subsidy from eight hundred dollars to eight hundred fifty dollars. We arrived at that figure because of the fact that under this bill there is an increase in the maximum subsidy of fifty dollars. We, therefore feel that if the maximum subsidy is raised fifty dollars, there is no reason why the minimum subsidy should not likewise be raised fifty dollars.

Mr. SOLLENBERGER. Mr. Speaker, I likewise must object to these amendments as I did to the other amendments and for the same reason. There is not enough money provided for the raising of the minimum subsidy, and for the same reasons and the same explanation that I gave a while ago I reiterate in thought at least and object to the insertion of these amendments into the bill.

Mr. SCHMIDT. Mr. Speaker, may I interrogate the gentleman from Blair, Mr. Sollenberger?

The SPEAKER. Will the gentleman from Blair, Mr. Sollenberger permit himself to be interrogated?

Mr. SOLLENBERGER. I will, Mr. Speaker.

Mr. SCHMIDT. Mr. Sollenberger, is it not a fact that

the maximum subsidy as provided for in the bill before us increases that subsidy fifty dollars?

Mr. SOLLENBERGER. Yes, that is true.

Mr. SCHMIDT. Mr. Speaker, was there any reason why the maximum was chosen for a fifty dollar increase and no increase whatsoever provided for the minimum subsidy?

Mr. SOLLENBERGER. Mr. Speaker in reply to the gentleman, may I state that in setting the minimum subsidy, it was placed at that amount because they felt that any district that would have the amount of money available, that is the wealth of the district per teacher pupil unit, would have a sufficient amount of money to carry the program, and that is the reason that it was set at eight hundred because they must be comparatively wealthy or they would not be at eight hundred or less.

Mr. SCHMIDT. Mr. Speaker, the maximum subsidy was twenty-four hundred, is that correct?

Mr. SOLLENBERGER. The maximum subsidy at the present time is twenty-four hundred.

Mr. SCHMIDT. No, the present time for this coming year it would be twenty-four hundred and the maximum subsidy is twenty-six hundred, if I recall correctly. Now that would increase fifty dollars, is that not correct?

Mr. SOLLENBERGER. The maximum subsidy has been increased fifty dollars in this bill.

Mr. SCHMIDT. For the coming year you mean. What is the increase for the following year.

Mr. SOLLENBERGER. Mr. Speaker if I recall correctly, it is thirty-three fifty. I did not have time to study the bill.

Mr. SCHMIDT. Does the minimum subsidy rise in any way?

Mr. SOLLENBERGER. Not the maximum amount under the present bill, with the amount in this bill; that remains the same.

Mr. SCHMIDT. Mr. Speaker, I feel and I know that I have expressed the feeling of quite a few Members of this House that as to the minimum subsidy, it is tragic to say that a state or Commonwealth that has the wealth that this Commonwealth has, cannot afford even a fifty dollar increase in the minimum subsidy that it proposes to reimburse these various school districts with. I want to say to you that this money in some districts is practically the only means by which these school teachers are going to receive their salaries.

I would like to relinquish some of my time to the gentleman from York. Mr. Seyler, who desires to say a few words on this matter.

Mr. SEYLER. Mr. Speaker, I would just like to say on this bill in corroborating the arguments of my friend and colleague from Allegheny, it has been traditional that the ratio between the maximum and the minimum subsidy has been three to one, not only in this state, but this is practiced throughout the other states.

Now, Senate Bill 33 changes that ratio radically to the disfavor of the first class district. The problem of the first class districts is this, that they have also felt that they have needed a differential in their salaries, between their salaries and those in other parts of the state, due to the fact that they have higher living expenses. With no increase in the salary bill in favor of the teachers in first class districts the only way in which

this can be raised is locally, and these districts will be unable to do that unless some help is given to them in the form of a subsidy. For that reason it does seem that the fifty dollars asked in this amendment is not too much to ask for the first class districts in the form of subsidy.

Mr. SOLLENBERGER. Mr. Speaker, there are two items that ought to be cleared up here before we vote on this. First is this fifty dollars—it may sound to the membership of the House as if this is just dealing with fifty dollars. It isn't, it is dealing with fifty dollars of added money for each pupil-teacher unit that the number of districts would require from the state that had the assessed valuation, the wealth that set this amount at eight hundred, and there are quite a number of districts in the state that are wealthy or comparatively wealthy or they would go above the eight hundred dollars, and come between that and the reimbursement fraction of the twenty-six hundred dollars, or twenty-four hundred fifty this year. So we want it clear that this runs into a couple of million dollars in the sum total.

And secondly, it depends upon the wealth of the school district and not upon some arbitrary amount other than the minimum subsidy amount that any group has set.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER declared the "nays" appear to have it.

Whereupon a division was called for, eighty Members voting in the affirmative and ninety-eight in the negative, the question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 367, entitled:

An Act to further amend sections four, three hundred one, five hundred one, five hundred two and six hundred one point one of, and to amend section seven hundred two of, and to repeal section three hundred thirteen of, and to add two new sections numbered three hundred two and three hundred three to, the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2896), entitled "An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties." by providing for modification of the manner in which employer contribution rates are determined and under certain conditions for the payment by employers of the costs of appeals

The first section was read.

On the question,

Will the House agree to the section?

Mr. EVANS offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out the words "Subsection (k) and subsection (y)" and inserting in lieu thereof: "Subsection (k) (y) and (z)."

Amend Sec. 1, page 2, line 3, by striking out the figures "2896" and inserting in lieu thereof "2897."

Amend Sec. 1, page 3, line 10, by striking out the word "act" and inserting in lieu thereof: "acts."

Amend Sec. 1, page 3, line 10, by inserting after the word "the" where it appears the second time the following: "twenty-ninth day of May, one thousand nine hundred forty-five, (P. L. 1145) and the."

Amend Sec. 1, page 3, line 12, by striking out the word "is" and inserting in lieu thereof: "are."

Amend Sec. 1, page 3, by inserting between lines 12 and 13 the following: "Section 4. Definitions. The following words and phrases, as used in this act, shall have the following meanings, unless the context clearly requires otherwise."

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Amend Sec. 1 page 6, by inserting between lines 17 and 18 the following: "(z) 'Week' means any calendar week ending at midnight Saturday, or [the equivalent thereof, as determined in accordance with general rules adopted by the department.] any seven consecutive calendar days or each accumulation of four 'effective days' which need not be consecutive."

On the question,

Will the House agree to the amendments?

Mr. EVANS. Mr. Speaker, Senate Bill 367 in its present form is strictly an employers' bill, and if passed would result in enormous savings to employers in the Commonwealth of Pennsylvania and would bring about the readjustment of experience rating in the case of some employers.

I am not opposed to a tax reduction for employers where inequities can be shown, but I think that when we are on this matter and discussing doing something further for employers in the Commonwealth, that we should give serious consideration to doing something for the workers of this Commonwealth, those who are unemployed and only permitted to work one, two or three days a week due to the lack of business or lack of orders on the part of their employers.

Let us just examine the record that has been made in recent years and see the benefits that the employers of this Commonwealth have gotten under the unemployment compensation act. In 1947 alone, the experience rating was made permanent which resulted in enormous savings to employers. The employers got the benefit of the reduced minimum rate and a law was passed by the 1947 Session of the Legislature which permanently disqualified those who were engaged in industrial disputes from collecting unemployment compensation benefits, and the burden for caring for those people during that kind of situation was transferred to the Public Assistance rolls, in which all the taxpayers of the Commonwealth bear the burden.

Now it would appear that the Commonwealth of Pennsylvania is to act as a collecting agency for unemployment compensation benefits, and then return them to the employer in one form or another in savings. The amendments which I have offered do not in any way destroy the extent of the bill in its present form. The amendments which I have offered would simply permit an

accumulation of idle time for the payment of workmen's compensation. We have many workers throughout this Commonwealth at the present time, and this is especially true in the anthracite and bituminous coal regions, that are only working one and two and three days a week at the present time. If these amendments are accepted which will permit the accumulation of idle time, it will permit those people to have their income supplemented by receiving certain benefits from the unemployment compensation fund.

I want to tell you, and I am sure all of you realize, that it is a pretty serious situation when people at the present time who are only accorded an opportunity to work one or two or three days a week are compelled to keep a family from their earnings alone. I ask that the Members of the House give serious consideration to these amendments. Let's do something in a constructive way for the partial time workers in the Commonwealth.

Several weeks ago we passed a bill in this House, and undoubtedly it will become law, that gave unemployed workers a five dollar a week increase in benefits. We were told at that time that the five dollars a week represented a liberal program and that it represented a twenty-five percent increase in unemployment compensation benefits but, before an unemployed worker under the present method of computation under the unemployment compensation law can collect twenty-five dollars a week in unemployment benefits he must show nearly an earning of fifty dollars a week, and that is quite impossible for a large number of workers in this Commonwealth to show.

Mr. Speaker, I ask that the Members of the House give serious consideration to these amendments. If we are going to do something further for the employers of this State let us do something in a constructive way for the workers of this Commonwealth as well.

Mr. KENT. Mr. Speaker as the gentleman from Cambria, Mr. Evans has pointed out, Senate Bill 367, deals exclusively with employers contributions to the unemployment compensation fund. And as he pointed out, his amendments, deal exclusively with the benefits under the unemployment compensation laws to the employees.

One of my objections to his amendments would therefore be, that the issue is being confused and clouded by two separate issues which are definitely and absolutely foreign to each other. I think in all fairness to the Members of this House, they should be entitled and be given the privilege of voting on these issues separately.

In answer to the gentleman from Cambria, I might say that we have done something in this House for the employees during this Session. As he pointed out we passed unemployment compensation bills, occupational disease and workmen's compensation bills some weeks ago, granting the employees a twenty-five percent increase in the benefits they are to receive. Now, I think its only fair that we should do something for the employer, and that is what is attempted to be done under Senate Bill 367. He pointed out that there were going to be enormous savings to employers. I believe that I will have to agree that there will be some savings to some employers, under Senate Bill 367. So I think that if we can take 367 by itself then we have done a good job not only for the employee but for the employer too, and the matter is balanced.

The other objection and the more serious one I think to these amendments is simply that by their very character they transgress the purpose and intent as stated in the preamble of the unemployment compensation law that was passed in 1936. You will recall the purpose and intent of that Act was to create a reserve fund for the benefit of those persons who became unemployed by no fault of their own. It was intended to carry them over as a buffer until they could seek and secure other employment. Now, under the provisions of these amendments it is creating an entirely different situation, whereby a man is employed and can still receive compensation from the fund.

I think in some cases, and I think I'm correct in saying this, that a man in two days in some employment can earn as high as fifty or sixty dollars in those two days, and over a period of a month that would be about two hundred dollars we will say and in addition to that he could collect an unemployment check at least for one week in the amount of twenty-five dollars.

As I say, Mr. Speaker, that is not the intent and was never intended to be included in the system or the set-up of the unemployment compensation laws or the social legislative program in this state as far back as 1936, and I certainly don't believe that it should be in the program now. For that reason Mr. Speaker, I would ask the gentleman and the Members of this House to vote these amendments down.

Mr. LOVETT. Mr. Speaker, I have opposed merit rating from its very infancy, and I have stated on this floor my reasons for opposing merit rating. I said at that time that it is an insurance proposition. Those that are able to pay, should pay. Those that need the help, should get it.

The gentleman from Crawford, Mr. Kent, has said that it is to create a fund. That's the reason why I say that we should create that fund so that we may liberalize workmen's compensation. Now, he has told you about the fact that we have liberalized, he says, the Workmen's Compensation Act as far as the employee is concerned, I might say that he is very generous under this bill in what it means to the employer. They will give you a nickle any time for a dollar.

Now, Mr. Evans said that a lot of the miners in sections of the mining districts of the state possibly would be affected by these amendments that he just now offered. You don't need to confine it to the mining sections, I would say you could say it's all over the state of Pennsylvania. In industry in my community men are working part time, one day a week, two days a week, at the present time the same as they are in the coal fields. Now, I say to you gentlemen that the amendments offered by the gentleman from Cambria at least will give some benefit to the working people in the state of Pennsylvania. So therefore I think you should vote in favor of these amendments.

On the question recurring

Will the House agree to the amendments?

The yeas and nays were required by Mr. Evans and Mr. Lovett and were as follows:

A verification of the roll was requested by Messrs. Cole, Williams and Mills.

The roll was verified and was as follows:

## YEAS—98

Amarando,	Good,	Mihm,	Sarrafi,
Andrews,	Guarnieri,	Mikula,	Scanlon,
Bane,	Hagerty,	Mills,	Schmidt,
Beaver,	Hamilton,	Monroe,	Schuster,
Bloom,	Harris,	Moran,	Scott,
Boles,	Heatherington,	Musto,	Seyler,
Brandon,	Hersch,	Nagel,	Shoemaker,
Brelson,	Hoggard,	Najaka,	Smith, W. B.,
Breth,	Hunter,	Needham,	Snider,
Brown, H. S.,	Jenkins,	Nixon,	Stank,
Bucchin,	Jim,	Pentrack,	Sternberg,
Cole,	Jones, G. E.,	Peta,	Stuart,
Coleman,	Jones, J. M.,	Petrosky,	Swope,
Conway,	Kamyk,	Pettigrew,	Taylor,
Dalrymple,	Kirley,	Pfaff,	Thompson,
DeLong,	Kohl,	Polen,	Wachhaus,
Dougherty,	Kolankiewicz,	Posta,	Wargo,
Duffy,	Kondrath,	Powers,	Weiss,
Erb,	Lederer,	Readinger,	Welsh,
Evans,	Leonard,	Reynolds,	Westrick,
Filo,	Limper,	Robbins,	Wheeler,
Fleming,	Lovett,	Rose,	Williams,
Floyd,	McGee,	Rosen,	Worley,
Gaffney,	McNally,	Rovansek,	Yester,
Glenbockl,			Yetzer,

## NAYS—96

Altshuler,	Flack,	Kemp,	Reagan,
Barkdoll,	Fox,	Kent,	Reilly, J. M.,
Baumunk,	Frank,	Kline,	Riley, R. L.,
Bednarek,	Frost,	Kratz,	Robertson,
Blair,	Gallagher,	Kurtz,	Royer,
Bomberger,	George,	Lee,	Sax,
Boorse,	Gibson,	Lelsey,	Smith, C. C.,
Bower,	Goodling,	Loftus,	Sollenberger,
Brice,	Graybill,	Madigan,	Stimmel,
Brunner,	Green,	McCormack,	Tahl,
Cadwalader,	Greenwood,	McCullough,	Tompkins,
Clapper,	Greer,	McKinney,	Toomey,
Clendenning,	Guthrie,	McMillen,	Varnier,
Cooper,	Hall,	Miller,	Wagner,
Costa,	Haudenshield,	Milliken,	Waterhouse,
Dennison,	Helm,	Mintess,	Watkins,
Depuy,	Herman,	Moore, C. E.,	Weidner,
Driscoll,	Hewitt,	Moore, H. A.,	Wescott,
Dye,	Hocker,	Murray,	Wood,
Elder,	Hoffman,	Neff,	Yaffe,
Ewing,	Jennings,	O'Dare,	Yeakel,
Felton,	Johnson,	O'Donnell,	Young,
Farster,	Jump,	Orban,	Ziegler,
Firmstone,	Keller,	Propert,	Sorg,

Speaker

## NOT VOTING—14

Brown, Wm. E.,	Munley,	Price, R. A.,	Spencer,
Cochran,	Olsen,	Reese,	Varallo,
Harney,	Penglass,	Reidenbach,	Verona,
Krise,	Price, H. W., Jr.,		

So the question was determined in the affirmative and the amendments were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. EVANS offered the following amendments:

Amend Sec. 2, page 6, line 19, by striking out the word "and."

Amend Sec. 2, page 6, line 19, by inserting after the figure and letter "(z.5)" the following "and (z.6)."

Amend Sec. 2, page 7, by inserting in between lines 11 and 12 the following:

"(z.6) 'Effective day' means a full day of total unemployment: Provided, That such day falls within a week in which an employee had four or more days of total unemployment: Provided further, That only those days of total unemployment in excess of three days within such week shall be deemed 'effective days.' An employee who is employed on a shift continuing through midnight shall be deemed to have been employed only on the day beginning before midnight with respect to such shift."

They were agreed to.  
The section was agreed to as amended.  
The third to sixth sections inclusive were separately read and agreed to.

Mr. EVANS offered the following amendment to the bill:

Amend Bill, page 31, by inserting between lines 8 and 9 the following:

"Section 7. The first paragraph of section four hundred two of said act, as last amended by the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1186), is hereby further amended to read as follows:

Section 402. Ineligibility for Compensation. An employee shall be ineligible for compensation for any week or accumulation of four "effective days:—"

It was agreed to.  
The section was agreed to as amended.  
The seventh section was read.  
On the question,  
Will the House agree to the section?  
Mr. EVANS offered the following amendment:  
Amend Sec. 7, page 31, line 9 by striking out the figure "7" and inserting in lieu thereof "8."

It was agreed to.  
The section was agreed to as amended.  
The eighth section was read.  
On the question,  
Will the House agree to the section?  
Mr. EVANS offered the following amendment:  
Amend Sec. 8, page 32, line 8, by striking out the figure "8" and inserting in lieu thereof "9."

It was agreed to.  
The section was agreed to as amended.  
The ninth section was read.  
On the question,  
Will the House agree to the section?  
Mr. EVANS offered the following amendment:  
Amend Sec. 9, page 33, line 15, by striking out the figure "9" and inserting in lieu thereof "10."

It was agreed to.  
The section was agreed to as amended.  
The tenth section was read.  
On the question,  
Will the House agree to the section?  
Mr. EVANS offered the following amendment:  
Amend Sec. 10, page 36, line 4 by striking out the figure "10" and inserting in lieu thereof "11."

It was agreed to.  
The section was agreed to as amended.  
The eleventh section was read.  
On the question,  
Will the House agree to the section?  
Mr. EVANS offered the following amendment:  
Amend Sec. 11, page 36, line 18, by striking out the figure "11" and inserting in lieu thereof "12."

It was agreed to.  
The section was agreed to as amended.  
The twelfth section was read.  
On the question,  
Will the House agree to the section?  
Mr. EVANS offered the following amendment:

Amend Sec. 12, page 39, line 1, by striking out the figure "12" and inserting in lieu thereof "13."

It was agreed to.  
The section was agreed to as amended.  
The thirteenth section was read.  
On the question,  
Will the House agree to the section?  
Mr. EVANS offered the following amendment:  
Amend Sec. 13, page 39, line 18, by striking out the figure "13" and inserting in lieu thereof "14."

It was agreed to.  
The section was agreed to as amended.  
The title was read.  
On the question,  
Will the House agree to the title?  
Mr. EVANS offered the following amendments:

Amend Title, page 1, line 1 of title, by inserting after the word "one" where it appears the first time, the following "the first paragraph of section four hundred two."  
Amend Title, page 1, line 7 of title, by striking out the figures "2896" and inserting in lieu thereof "2897."  
Amend Title, page 2, line 12 from top, by inserting after the word "by" the following "changing and adding certain definitions, further regulating eligibility for compensation."

They were agreed to.  
The title was agreed to as amended.  
And said bill having been read at length the second time and agreed to as amended.  
Ordered, To be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 446, entitled:

An Act to amend sections one two three four and seven and to repeal section five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" prohibiting the levy and collection of certain taxes providing for an over-all limit on revenues to be collected annually and for the use of excess moneys collected requiring reduction of tax rates in certain cases and affording remedies to compel such reduction imposing limits on rates of certain taxes regulating appeals from tax ordinances and resolutions providing for joint agreements for the collection of taxes regulating penalties and interest on taxes and requiring certified copies of effective tax ordinances and resolutions to be filed with the Department of Internal Affairs

The first section was read.  
On the question,  
Will the House agree to the section?  
Mr. HEATHERINGTON offered the following amendments:  
Amend Sec. 1 (Sec. 1), page 4, line 11, by striking out

the following: "[not have authority] or (2)" and inserting in lieu thereof: "[nor have authority]"

Amend Sec. 1 (Sec. 1), page 4, lines 14, 15, 16 and 17, by striking out the words "or on any public utility" in line 14, all of lines 15 and 16, and the words "public utility service [" in line 17.

Amend Sec. 1 (Sec. 1), page 4, line 17, by inserting after the word "authority]" the following: "or (2) to levy, assess, or collect a tax on wages."

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, it is most certainly not my fault that this bill introduced on March 2 should be pending at this late hour. The object of the amendments is to eliminate the wage tax from that well known adventure in home rule, Act 481 passed at the 1947 Session. If the amendments offered prevail, the various municipalities and political subdivisions would not be permitted to tax wages.

House Bill 481, we said in 1947 was a bad bill. It was heralded as I say, as an adventure in home rule. And one by one the various interests affected have come to the front and said they don't like home rule.

The Senate majority in sending us this bill has agreed that it doesn't have any faith in home rule; that is, it doesn't have any faith in home rule if you tax coal; it doesn't have any faith in home rule if you tax utilities. It has a great amount of faith in home rule if you tax wages.

I favor this amendment and I am opposed to this bill, because it is a part of an inexorable march staged by great and powerful interests one by one to delete from the taxing intent of the measure everything but wages and a sales tax, taking out coal, utilities, any levies upon manufactured products, and would narrow the scope of home rule activities to the point where practically wage taxes and sales taxes are the only ones left to levy.

This bill has been sugar-coated by making obvious short-term concessions to various interests. We are not concerned primarily with the sugar coating of this bill at the present time with the elimination of wages from the scope of the tax enacted at the 1947 session. If you vote against the proposed amendment, you vote for the continuance of the wage tax and the abatement of taxes in various other directions. If you vote against this amendment, you vote for the continuance of the tax. For that reason I support this amendment.

Mr. TOMPKINS. Mr. Speaker as we know Act 481 was a general act which was thrown out to give an opportunity to local subdivisions to take care of their own financial affairs. It was an attempt to shut off so many running to the central government thinking there is no bottom to the barrel in the central authority.

This bill has been tested and tried for two years, there are no restrictions of any great moment contained in that Act. The only restrictions were, that you could not levy a tax in excess of that which was already on your real estate. It did not limit the subjects excepting those which were already taxed by the State and public utility services. We realize the limitations placed upon those subjects which were already covered by the State in order to eliminate double taxation.

As to public utilities we must realize today that in the taxation of them in certain respects, the taxes are centralized in one source and paid for over the entire

distributions system which they serve, therefore one community is benefitting at the expense of a great number of communities being served by that utility. Now, the present amendments contained in 446, or the bill before you, attempt to separate a confusion which apparently arose in connection with public utilities. That is this, whether you tax the service or tax the merchandise which they might sell in the way of wares such as an electrical utility might sell in the way of household appliances and so forth, the question arose whether or not you could tax the transmission of power which I understand was done in one community in this Commonwealth; and others confused themselves whereby they thought they could not tax the wares and merchandise which they sold in the open market. This bill as it now exists breaks down that division and authorizes the taxing in whatever form you want to make it on wares and merchandise which they sell, but forbids the taxing of transmission of their product such as electricity, gas, oil, and other like products. Now in connection with the wage tax, it is true the present 481 tax authorizes a tax on wages under that act, because there is no provision against it.

A great number of communities have piled up and pyramided those taxes to an extent that perhaps they had become burdensome. This bill by its terms limits the maximum amount which the political subdivisions, the taxing bodies within any political subdivisions may levy, and for that reason it is felt that rather than taking Act 481 and striking the wage tax out, that by all the provisions of this bill which are not involved in these amendments but nevertheless by all the provisions of this bill we are going out and gathering in the strings and trying to shape something sensible in the way of local tax program. Therefore we have put a ceiling of one percent on wages which may be taxed or assessed under the provisions of this bill.

We have also limited it to where non-residents cannot be taxed for school purposes on wages and for that reason and for the reason that local municipalities must find sources of revenue with which to operate their communities based upon the demands made upon them, and it is those people who live in those communities and who benefit from those services in those communities who must carry the load. Therefore, a wage tax, a uniform wage tax is felt the most justifiable and equitable tax that could be levied. Therefore, I request the Members of this House to vote down these amendments.

Mr. ANDREWS. Mr. Speaker, with the consent of the sponsor of the amendment, I would like to divide the question and consider only at one time that portion of the amendments dealing with the elimination of the wage tax, and confine the discussion and the voting on the first vote to that part of the amendments which eliminates the wage tax.

The SPEAKER. The gentleman from Cambria asks for a division of the question on the amendments to Section 1 submitted by the gentleman from Allegheny, Mr. Heatherington.

The Chair will read the amendment embracing the elimination of the wage tax for the information of the House.

Amend Sec. 1 (Sec. 1), page 4, line 17, by inserting after the word "authority]" the following: "or (2) to levy, assess, or collect a tax on wages."

On the question,  
Will the House agree to the amendment as read by the Speaker?

Mr. TOMPKINS. For the information of the Members of the House, this bill as a whole does not apply to the city and county of Philadelphia, nor would these amendments apply to those same sources.

Mr. ANDREWS. I am delighted to have that information and I can also inform him that I believe at least a portion of the Philadelphia delegation nevertheless would favor the elimination of the wage tax.

Mr. HEATHERINGTON. Mr. Speaker, I agree with the Minority Leader on the question of dividing the amendments. I'm more interested in the question of the wage tax.

I personally do not think that 481 was actually a good bill, but if I am not mistaken our Governor went to the Governor's conference and spoke on what a wonderful bill he had passed in the Legislature that gave the local municipalities home rule. Today we are in here now eliminating the coal companies but leaving a section in here to tax the coal miner. We are eliminating all the manufacturers, we are leaving in here ten per cent admission on amusements to movies, athletic events. The present bill leaves in a one per cent wage tax. I could see no reason why the coal companies couldn't have come in if they were so anxious. In putting a limit on the wage tax, a limit on admission to the theatres why didn't they put a limit on the amount of tax that was to go on the coal? Why didn't they put a limit on the amount that was to go on scrap, steel, or anything else under 481? I think that if the amendments are not put in the bill, and the bill passes all we are going to have is strictly a wage tax.

Mr. LOVETT. Mr. Speaker, I rise in favor of the amendments offered by the gentleman, and to make a few statements in regard to those amendments.

House Bill 800 at the last session of the Legislature is Act 481 which we are now amending. The wording of that Act said that you had the right to tax anything that the state does not tax. They should have worded it you must tax everything that the state don't tax. Then we would have been in a much sounder position today; we wouldn't have had this situation now where we must eliminate other taxes under this bill. Everyone knows that Bill 800 was bad, it will be trouble as long as we have it; you are going to have trouble, everybody is going to have trouble with such an act, and I say to you that if you don't right now vote to eliminate the wage tax it will just come back at the next Session of the Legislature to haunt you. Then you will have to vote to eliminate the wage tax and there won't be anything left. So I ask the members to support this amendment.

Mr. BRANDON. Mr. Speaker, this bill at the present time as it is introduced is a very misleading thing.

The title of the bill as it appears on our calendar says that the bill repeals Section 5 of Act 481. As a matter of fact, if you will look at pages 19 and 20, you will find out that Section 5 of 481 is not repealed, so that this bill 446 without this amendment constitutes as I see it, practically a mandatory wage tax for every political subdivision in the state of Pennsylvania. For this reason, that any tax levied where a man works, and if his residence also levies the wage tax, the residence gets the

credit, so in any case where you have a place of employment levying taxes the place of residence will similarly levy a wage tax, and that thing will spread throughout the state of Pennsylvania. When you limit and eliminate the taxes from other things, leave only the tax on wages as a substantial revenue producer and then give it that effect that Section 5 of 481 gives it, this act as it is presently written will amount to a mandatory wage tax throughout the state of Pennsylvania. We will not be giving local government the authority; we will not be giving them discretion in the matter. This Legislature will be forcing them to enact that type of taxation and nothing else. Therefore, I am going to vote for the amendment.

Mr. TOMPKINS. Mr. Speaker, in reply to the first question which the gentleman from Allegheny, Mr. Brandon, raised, I would like to call the attention of the Members of the House to the fact that although Section 5 does appear in the title, that merely is harmless so far as the constitutional requirements are concerned. The body of the bill is that which enacts, and if something is contained in the title which is not contained in the body of the bill, that does not defeat the bill. If something is contained in the body of the bill for which notice is not given in the title, you would have a different question and it might be declared unconstitutional.

In connection with the question which the gentleman from Westmoreland, Mr. Lovett, raised, he has a point there. I might say that a number of communities under Act 481 felt it was mandatory to levy taxes under that Act. If you will turn to the Act, at the bottom of the page, you will find stricken out the word "shall," making it discretionary with the municipalities which thought they had to levy taxes under the Act.

Furthermore, there are limitations placed in this Act elsewhere which forbid the piling up of a reserve from the levying of taxes. If they have a reserve at the end of one year they must adjust their taxes the succeeding year in order to eliminate the tax when there is no need for it. There are protective measures thrown around this in some communities.

Mr. ANDREWS. Mr. Speaker, I cannot permit the learned gentleman from Cameron to change the major issue into any legal tangle. There are no legal questions involved. The amendments mean leave the wage tax in the bill or take the wage tax out of the bill. We are for a wage tax out of the bill.

On the question recurring,  
Will the House agree to the amendment?  
The yeas and nays were required by Mr. Moran and Mr. Brandon and were as follows:

A verification of the roll was requested by Messrs Williams, Stank and Mrs. Munley.  
The roll was verified and was as follows:

YEAS—102

Amarando,	Guarnieri,	Mills,	Rosen,
Andrews,	Hagerty,	Monroe,	Rovansek,
Bane,	Hamilton,	Moran,	Sarrafi,
Beaver,	Harris,	Munley,	Scanlon,
Bednarek,	Heatherington,	Musto,	Schmidt,
Boies,	Hersch,	Nagel,	Schuster,
Brandon,	Hoggard,	Najaka,	Seyler,
Breth,	Hunter,	Needham,	Smith, W. B.,
Brown, H. S.,	Jenkins,	Nixon,	Snider,
Bucchin,	Jim,	Olsen,	Stank,
Cole,	Jones, G. E.,	Pentrack,	Sternberg,

Coleman,  
Conway,  
Dalrymple,  
Dennison,  
Dougherty,  
Duffy,  
Elder,  
Erb,  
Evans,  
Filo,  
Floyd,  
Gaffney,  
Glembocki,  
Good,  
Greenwood,

Jones, J. M.,  
Jump,  
Kamyk,  
Kirley,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Lederer,  
Leonard,  
Limper,  
Lovett,  
McGee,  
McNally,  
Mihm,  
Mikula,

Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Polen,  
Posta,  
Powers,  
Price, H. W., Jr.,  
Price, R. A.,  
Readinger,  
Reidenbach,  
Reynolds,  
Robbins,  
Rose,

Swope,  
Taylor,  
Varallo,  
Verona,  
Wachhaus,  
Wargo,  
Weiss,  
Welsh,  
Westrick,  
Wheeler,  
Williams,  
Worley,  
Yester,  
Yetzer,

## NAYS—95

Altshuler,  
Barkdoll,  
Baumunk,  
Blair,  
Bomberger,  
Boorse,  
Bower,  
Brelsch,  
Brice,  
Brunner,  
Cadwalader,  
Clapper,  
Cooper,  
Costa,  
Depuy,  
Driscoll,  
Dye,  
Ewing,  
Felton,  
Ferster,  
Firmstone,  
Flack,  
Fleming,  
Fox,

Frank,  
Frost,  
Gallagher,  
George,  
Gibson,  
Goodling,  
Graybill,  
Green,  
Greer,  
Guthrie,  
Hall,  
Haudenshield,  
Helm,  
Herman,  
Hewitt,  
Hocker,  
Hoffman,  
Jennings,  
Johnson,  
Keller,  
Kemp,  
Kent,  
Kline,  
Kratz,

Kurtz,  
Lee,  
Lelsey,  
Loftus,  
Madigan,  
McCormack,  
McCullough,  
McKinney,  
McMillen,  
Miller,  
Mintess,  
Moore, C. E.,  
Moore, H. A.,  
Murray,  
Neff,  
O'Dare,  
O'Donnell,  
Orban,  
Propert,  
Reagan,  
Relly, J. M.,  
Riley, R. L.,  
Royer,  
Sax,

Scott,  
Shoemaker,  
Smith, C. C.,  
Sollenberger,  
Spencer,  
Stimmel,  
Stuart,  
Tahl,  
Thompson,  
Tompkins,  
Toomey,  
Varner,  
Wagner,  
Waterhouse,  
Watkins,  
Weldner,  
Wescott,  
Wood,  
Yaffe,  
Yeakel,  
Young,  
Ziegler,  
Sorg,  
Speaker

## NOT VOTING—11

Bloom,  
Brown, Wm. E.,  
Clendenning,

Cochran,  
DeLong,  
Harney,

Krise,  
Milliken,  
Penglaase,

Reese,  
Robertson.

So the question was determined in the affirmative and the amendment was agreed to.

The Chair submits the remaining amendments to section 1.

Amend Sec. 1 (Sec. 1), page 4, line 11, by striking out the following: "[not have authority] or (2)" and inserting in lieu thereof: "[nor have authority.]"

Amend Sec. 1 (Sec. 1), page 4, lines 14, 15, 16 and 17, by striking out the words "or on any public utility" in line 14, all of lines 15 and 16, and the words "public utility service [" in line 17.

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, with the consent of the sponsor we will withdraw the other amendments.

The SPEAKER. The Chair thanks the gentleman.

On the question,

Will the House agree to the section as amended?

## BILL POSTPONED

Mr. BRUNNER. Mr. Speaker, I move that the bill together with the amendments be placed upon the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Placed upon the postponed calendar temporarily?

Mr. BRUNNER. Temporarily. May I say that this motion is made pursuant to an agreement.

The motion was agreed to.

RECONSIDERATION OF VOTE ON SENATE  
BILL No. 563

Mr. READINGER. Mr. Speaker, I move that the vote by which Senate Bill No. 563, entitled:

An Act to further amend sections one thousand eight hundred four and one thousand eight hundred nine of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further regulating the adoption and alteration of budgets

on page 13 of today's calendar was agreed to be transcribed for third reading, be reconsidered.

Mr. YESTER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Berks, Mr. Readinger vote on agreeing to transcribe the bill for third reading?

Mr. READINGER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Allegheny, Mr. Yester vote on agreeing to transcribe for third reading?

Mr. YESTER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. READINGER. Mr. Speaker, I move that the vote by which the House agreed to the bill on second reading be reconsidered.

The motion was agreed to.

Mr. READINGER. Mr. Speaker, I move that the vote by which the House agreed to the title and the various sections be reconsidered.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out the figure "1" and inserting in lieu thereof: "2."

Amend Section 1, page 21, line 1, by striking out the word "the" and inserting in lieu thereof: "said."

Amend Sec. 1, page 2, lines 2 to 5 by striking out all of lines 2 to 4 and "lating thereto" in line 5.

On the question,

Will the House agree to the amendments?

Mr. READINGER. Mr. Speaker, the amendments offered by the gentleman from Delaware, Mr. Robertson, to Senate Bill 563 seek to insert in this bill the exact words of another Senate Bill, No. 675.

These amendments would change the fiscal year in all third class cities in the Commonwealth from January 1st to July 1st. The bill No. 675, was passed by the Senate, sent to the House, where it was referred to the Third Class Cities committee. That committee yesterday considered the bill twice, and each time decided to table the bill. Today Mr. Robertson offers these amendments and we are now about to discuss the merits of the amendments.

I understand there are a series of bills over in the Senate which seek to change the fiscal year of all political subdivisions from January 1st to July 1st.

I have been informed that the third class cities of Pennsylvania have been polled on this matter and that in

answer to a questionnaire as to whether they wanted this change, there were seventeen cities opposed to it, four in favor of it and twenty-four didn't even reply to the questionnaire. I have been informed also that the League of Third Class Cities at its Convention last summer did not take any action on this matter.

I am rising today to oppose these amendments. The city of Reading, Pennsylvania, from which I come, is opposed to the amendments. I am informed that it would upset and complicate their bookkeeping considerably and I know that there are other reasons why they do not desire to have their fiscal year changed.

I inquired of the Reading school district to find just what effect this would have upon the collection of the school district taxes and was informed that it would create a delay in the collection of their taxes if this change is now made by these amendments.

I appreciate the fact very much that the sponsor of these amendments has seen fit not to oppose my motion to reconsider the bill having passed second reading, because I think that this is an important matter and should be debated. I have been inquiring of various officials and Members of this House to ascertain why it is so necessary that all political subdivisions have the same fiscal year. As you know at the present time school districts have one fiscal year, counties may have another fiscal year and third class cities may have a different one. I have no objection whatsoever to all of the other political subdivisions having the same fiscal year if they so desire, but I fail to see why it is so essential that all third class cities have the same fiscal year. Certainly if seventeen cities say they don't want it, four say they do want it and twenty-four don't even show enough interest to answer a questionnaire, the third class cities in general just don't seem to want this amendment and I am asking you to vote against these amendments.

Mr. ROBERTSON. Mr. Speaker, as the gentleman from Berks, Mr. Readinger has stated to this House, the amendment which I offered this morning did amend Senate Bill 563 to include the same provisions as Senate Bill 675.

This complete situation has been worked out in the past two years by the local government commission and a series of bills have been prepared and introduced into both sides of this legislature. This House has already gone on record by passing Township Codes 460 and 396, which include the fiscal year changes. The local Government Commission, and I might state that this plan is approved by the Economy League, have attempted to straighten out the fiscal year proposition in all municipal subdivisions with the following ideas in view.

In the first place, where the fiscal year corresponds with the calendar year, when a person is elected to the council or board of supervisors, he is suddenly dropped right in the middle of a budget fight. He is not well prepared and he doesn't know the exact ins and outs of the government of the municipal subdivision to which he has been elected. He votes blindly and he acts blindly because he can't possibly hope within a few days to know what the budget is. By changing this provision as recommended by these bills, he has a period of six months in which to work in the council or board of supervisors and get himself fairly well worked into the action and in-

tricate pattern that modern local government now has.

I believe in addition to that it will, not as the gentleman from Berks has stated, aid and assist in tax collections as you will have one tax bill from the school districts and from the municipal subdivisions.

I think it is a good bill; I think the amendment is good and may I inform the House this, that my instructions are, that if any of these bills fail, to recommit all of them, and I sincerely ask your vote for these amendments.

Mr. READINGER. In part answer to the gentleman from Delaware, I would like to say that I am merely a lawyer and a Member of this House, and not an expert on third class city municipal affairs. But when the Mayors and all of the Councilmen of seventeen other third class cities object to the passage of these amendments and say that they do not want to change their fiscal year, then I am inclined to think that they should know what they are talking about. I don't know of any third class city in the Commonwealth where there is not an overlapping of terms. In other words, at every election there are at least two or three councilmen remaining. They can't be all new councilmen at one time, so that those who have been in for years can certainly assist the new ones in helping to figure out the budget.

Mr. YESTER. Mr. Speaker, the action on this bill has sort of befuddled me as to what part the Legislature is to take. The people elect us to come down here to represent them. Then we do what we think, or try to do a good job, what our people want us to do. In this case, a bill was defeated twice by the Committee. Then there was an amendment put into another bill which does the same thing.

Mr. Robertson said that there were other bills on the calendar also concerning boroughs. Well, the boroughs are absolutely opposed to it also, and the League of Third Class Cities, and I think that for the benefit of the Members of the House, to show that they have a little bit of authority yet, this amendment should be voted down.

Mr. WATERHOUSE. Mr. Speaker, probably one of the twenty-four cities not heard from was the city that I represent and they are definitely opposed to this type of legislation.

As we know, Senate Bill 675 was considered at least twice in the Committee and not agreed to; in other words agreed to table. Under the provisions of this bill or this amendment they would have to adopt their budget for January 1, 1950 and then they would have to adopt their budget for the full year, beginning May 1, 1950 to May 1, 1951, and each and every year thereafter. While I have very little information as to what else this bill would do, I do know that my town is definitely opposed to the bill and to this amendment, and I would ask that the Members vote against it.

Mr. READINGER. Mr. Speaker, I regret to take up so much of the time of the House, but I think that these bills are important and I would like to interrogate the gentleman from Delaware, Mr. Robertson.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. ROBERTSON. I shall, Mr. Speaker.

Mr. READINGER. I desire to ask the gentleman why he deems it necessary to recommit all of the other bills

relating to other political subdivisions if this bill and these amendments should fail.

Mr. ROBERTSON. Mr. Speaker, the reason for that statement is that this is an attempt to straighten out and put all municipal subdivisions except cities of the first class, second class and second class A, on the same fiscal year. Any breakdown in this plan will cause a fiscal policy in this state to be much more, shall we say, hashed up than it is at the present time.

Mr. READINGER. May I inquire of the gentleman whether it is not true now and has been for a long time, that there have been different fiscal years among the various municipalities and political subdivisions.

Mr. ROBERTSON. Mr. Speaker, in answer to the gentleman's question, that is correct and that is the purpose of these bills, to straighten that out.

Mr. READINGER. I thank the gentleman. Mr. Speaker, I think the gentleman has just answered many of the questions that I have raised today. He admits that at the present time there are various fiscal years and that that condition has existed for a long time. They now have a plan whereby they want to put them all on the same fiscal basis, and they apparently have them all in agreement with that system except the third class cities. So I would suggest to the Members of this House that they defeat these amendments, let all of the other political subdivisions if they desire, go on the same fiscal year and let them sell the idea to the third class cities.

Mr. SEYLER. Mr. Speaker, I should like to take a moment about a principle in this matter which has not been yet discussed.

This House has witnessed a siege of discharge resolutions, and the majority side, the leadership on the majority side, have weathered them very successfully, but the Majority Leader, in defense, not on the question of whether the bill was good or bad, but on the question of the principle of the sanctity of the Committee, has expressed himself repeatedly as having the utmost confidence in the actions of the Committee on bills they were considering.

This particular bill was considered, as I have told you already, twice in one day, very seriously, and both times voted down. For that reason I am forced to accept the philosophy of the Majority Leader and believe that he will not take any action against the will of the Committee. I am sure the Majority Leader will be consistent and vote that way too, and I hope many of the other Members on this side will take similar action.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER declared the "nays" appear to have it.

Whereupon, a division was called for, twelve Members voting in the affirmative and one hundred thirty in the negative, the question was determined in the negative and the amendments were not agreed to.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### QUESTION OF INFORMATION

Mr. ANDREWS. Mr. Speaker I rise to a question of information.

The SPEAKER. The gentleman from Cambria will state it.

Mr. ANDREWS. Mr. Speaker, I want to inquire whether it is the intention of the Chair to call up many important bills that are still pending on second reading many of which are subject to amendment.

The SPEAKER. For the information of the gentleman from Cambria, it is the intention of the Chair to consider any bill on second reading which it is the desire of the Members shall be read or amended on second reading.

Mr. ANDREWS. Then, Mr. Speaker, might I call the attention of the Members of the House to the fact that many of these bills are of wide interest, the amendments will be of wide interest, and since some of the Members or all the Members, have seats for the circus they cannot be in their seats here in the House and also attend the circus.

I am sure, in view of the gravity of the issues that the House will face, that all of the Members will want to remain in the Hall of the House rather than view the daring young man on the flying trapeze. I therefore would suggest, at the suggestion of the Majority Leader, that those who have tickets return them to their hosts in order that those tickets may be disposed of or may be sold, and the management thanked for their thoughtfulness, but they get their tickets back, and that we settle down for several hours hard work.

Mr. BRUNNER. Mr. Speaker, it is inevitable during any Session that we reach a period where there is important business to be transacted. We have before us work which might take us into the evening and possibly late hours. It is vitally necessary that this legislation be considered on second reading because it is anticipated that tomorrow will be the last day of this Session. At least, it is my fond hope that it will be.

May I say to the Members on both sides that their votes are vitally needed tonight and I respectfully request, not in terms of that good old game of poker, that we have a full House tonight. May I also suggest that at the pleasure of the Chair a recess be declared.

The SPEAKER. The Chair would suggest to the Membership that there will be very important voting or a number of measures pending on the second reading calendar, and it will be to the interest of every Member to be present and be recorded thereon.

The Chair regrets very much that he was unable to maintain the schedule today. The Chair agrees, however, it is only a matter of courtesy to our host for the evening that at the very earliest possible moment the tickets be returned to the Chief Clerk so that they may be returned to the management and resold to others who may desire to have them. Tickets will be delivered to the representatives of the Chief Clerk, who will come through the aisles to collect them.

Mr. ANDREWS. Mr. Speaker, before the militant Democrats leave, will you please announce that there will be a Democratic Caucus immediately upon the declaration of the recess.

#### CAUCUS

The SPEAKER. The Members are advised that there will be a Democratic Caucus immediately after the recess is declared.

The Chair will declare a recess very shortly. Will the Members please remain in their seats, as there are very important matters on the table that must be cleared, and the Chair requests the Members to help expedite the business of the House.

### SENATE MESSAGES

#### CONCURRENCE IN HOUSE RESOLUTION

##### RECALLING HOUSE BILL No. 265

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, April 27, 1949.

Resolved (if the Senate concur), that House Bill No. 265, Printer's No. 138, entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined," be recalled from the Governor for further amendments.

#### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

##### SENATE BILL No. 196.

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the holding of special elections to fill vacancies in the councils or legislative bodies of cities boroughs towns and townships and for nominating candidates therefor and changing the provisions of said act relating to rejections of and objections to nomination certificates and nomination papers withdrawals of candidates substituted nominations and certifications by the Secretary of the Commonwealth of candidates for special elections.

##### SENATE BILL No. 560

An Act to amend section six hundred eighty-seven of the act approved the tenth day of March one thousand

nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the adoption and alteration of budgets in districts of the second third and fourth class

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

##### SENATE BILL No. 196

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the holding of special elections to fill vacancies in the councils or legislative bodies of cities boroughs towns and townships and for nominating candidates therefor and changing the provisions of said act relating to rejections of and objections to nomination certificates and nomination papers withdrawals of candidates substituted nominations and certifications by the Secretary of the Commonwealth of candidates for special elections

##### SENATE BILL No. 245

An Act to further amend section fourteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing the minimum amount to be paid to certain members on retirement

##### SENATE BILL No. 375

An Act to further amend paragraph four of subsection A of section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and

officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans.

#### SENATE BILL No. 415

An Act making an appropriation to Washington and Jefferson College for conservation education and requiring certain reports in connection therewith

#### SENATE BILL No. 471

An Act making an appropriation to the Department of Military Affairs for the payment of the necessary expenses in connection with the establishing and operation of the recreational camp at Indiantown Gap Military Reservation

#### SENATE BILL No. 479

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

#### SENATE BILL No. 500

An Act to further amend subsection four of section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing the amount of retirement or compensation payments to persons now retired receiving survivor annuities or State compensation under the Public School Employees Retirement System

#### SENATE BILL No. 551

An Act relating to the disposition of unclaimed moneys in the treasuries of municipalities; providing for the title of accounts of moneys placed in municipal depositories, the crediting to the appropriate municipalities of amounts held for the payment of checks issued and outstanding for two years or more, and the escheat for the use of the municipality of any sums appropriated for their payment when such checks are not presented within seven years from date of issue; providing further for the paying over to the municipal treasurer of any moneys originally paid to any municipal officer that do not belong to such officer and remain unclaimed for a period of one year, for the presenting of claims to such moneys by the persons legally entitled thereto, and for the escheat for the use of the municipality of any such moneys unclaimed within seven years.

#### SENATE BILL No. 560

An Act to amend section six hundred eighty-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the adoption and alteration of budgets in districts of the second third and fourth class

#### SENATE BILL No. 603

An Act providing for the payment of salaries to the

president and members of the town council of incorporated towns at the discretion of the town council and for the collection and docketing of costs and fees by the president of town council acting as justice of the peace

#### SENATE BILL No. 655

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing insurance companies, associations and exchanges to make further investments of capital reserve and surplus funds in obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

#### SENATE BILL No. 719

An Act to impose a temporary tax on real estate for public school purposes in school districts of the first class to pay off any non-funded debt incurred for current expenses and/or any deficit incurred for current expenses

#### SENATE BILL No. 723

An Act to further amend section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock or any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by authorizing further changes in the capital stock requiring a class vote of stockholders to authorize certain changes and providing for the valuation and purchase by the corporation of the shares of dissenting stockholders in certain situations

#### SENATE BILL No. 724

An Act to amend the title and Section 1 of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 679) entitled "An act authorizing corporations to issue stock to their employees and to employees of their subsidiaries at par value or at a price in excess of par value" by eliminating the requirement that such an issue be at par value or at a price in excess of par value and authorizing such an issue without first offering such shares to the stockholders subject to certain limitations

#### SENATE BILL No. 745

An Act to add section two hundred eleven point one to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of

fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by authorizing the assessment and collection by the Insurance Commissioner of assessments against life insurance companies to defray expenses of the committee on valuation of securities of the National Association of Insurance Commissioners providing for the determination of the amount of such assessments and the expenditure of such assessments by the Commissioner

#### SENATE BILL No. 842

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on the gross receipts of certain persons engaging in certain businesses therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties

#### SENATE BILL No. 846

An Act to reenact and amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by continuing temporarily the provisions of the act for 1950 and succeeding years and by imposing certain duties on school treasurers in certain school districts of the first class and relieving county treasurers of certain duties under this act

Whereupon,

The SPEAKER, in the presence of the House, signed he same.

#### CAUCUS

The SPEAKER. There will be a Republican Caucus immediately upon the calling of the recess. This will be a very brief caucus and it is important that the Members attend.

#### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 6:30 p. m. E.S.T. The Chair hears none, and a recess is declared.

#### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

#### SENATE MESSAGES

#### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

#### SENATE BILL No. 762

An Act to further amend the act approved the seventh day of June 1915 (P. L. 878) entitled as amended "An

act providing for the escheat of certain property received for storage or safe-keeping or otherwise and of certain deposits of money also for the escheat of certain dividends profits debts and interest on debts of corporations companies banks national banks trust companies insurance companies limited partnerships and partnership associations doing business in this Commonwealth except building and loan associations also for the escheat of certain moneys property and estates held by persons partnerships associations or corporations in any fiduciary capacity whatsoever and the profits accretions and interest on such moneys property and estates as well as the interest hereon accrued between the date of the decree of any court ordering the distribution of such moneys property and estates and the actual distribution thereof also for the escheat of certain moneys paid into or deposited in any court of this Commonwealth or in any Federal court in and for any district within the Commonwealth or in the custody of any officer of such court and for the escheat of certain other moneys property and estates held in any manner by any person association or body corporate for the benefit of another" by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth

#### SENATE BILL No. 881

An Act to facilitate vehicular traffic in the Western section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near the City of Erie in Erie County to connect with the Pennsylvania Turnpike or the Western extension thereof at such point as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the costs of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes and relocations and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

#### SENATE BILL No. 901

An Act accepting the grants requirements and benefits of an act of the eighty-first Congress of the United States approved one thousand nine hundred forty-nine known as the Educational Finance Act of 1949 bearing public act No entitled "To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools and in reducing the inequalities of educational opportunities through public elementary and secondary schools for the general welfare and for other purposes

#### AMENDED HOUSE BILLS RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 625

An Act to further amend subsection (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence, imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by increasing the total maximum length of certain vehicles.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 835

An Act limiting the forfeiture confiscation seizure condemnation or taking of certain motor vehicles used in violation of law.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 991

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 735) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" by defining skim milk and providing for methods of standardization of milk.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 28

An Act to further amend sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three and four thousand three hundred twenty-four of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating the retirement of firemen on pensions and requiring certain payments to be made to the Firemen's Pension Fund by cities

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments  
The Clerk read the amendments as follows:

Amend the tile, page 1, line 3, by inserting after the word "twenty-two" the word "and;" page 1, line 4, by striking out at the beginning of the line the words "and four thousand three hundred twenty-four;" page 2, line 1, by striking out after the word "pensions" the word "and requiring certain payments to be made to the Firemen's Pension Fund by cities."

Amend Section 1, page 2, line 3, by striking out after the words "twenty-three" the words "and four thousand three hundred twenty-four;" page 4, line 12, by striking out after the word "of" the word "total;" page 4, line 14 by striking out after the word "may" the words "elect to;" page 4, line 14, by inserting after the word "retired" the words "or elect to be retired;" page 6, by striking out all of lines 14, 15, 16, 17 and 18.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 137

An Act to amend section nine hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" relating to fixed charges payable by the Commonwealth in lieu of taxes on real property

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment  
The Clerk read the amendments as follows:

Amend Section 1, page 2, line 10 by striking out the words "now or may hereafter be;" page 2, line 10, by inserting at the end of line 10 the following words "A annual charge of two cents per acre for the benefit of the county in which said lands are located four cents per acre for the benefit of the schools in the respective school districts in which such lands are located and four cents per acre for the benefit of the roads in the townships

where such lands are located which charges shall be payable by the Commonwealth."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Erise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in. Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 141

An Act to amend subsection (b) of section two hundred eighty-nine of the act approved the second day of May

one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" relating to fixed charge payable by the Commonwealth in lieu of taxes on real property

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, line 13, by striking out after the word "are" the words "now and may hereafter be" and inserting in lieu thereof the following: An annual charge of two cents per acre for the benefit of the county in which said lands are located four cents per acre for the benefit of the schools in the respective school districts in which such lands are located and four cents per acre for the benefit of the roads in the township where such lands are located which charges shall be payable by the Commonwealth

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schuster,
Blair,	Graybill,	McNally,	Schmidt,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kondrath,	Pfaff,	Weiss,
Duffy,	Kamyk,	Polen,	Welsh,
Dye,	Keller,	Posta,	Wescott,
Elder,	Kemp,	Powers,	Westrick,
Erb,	Kent,	Price, H. W., Jr.,	Wheeler,
Evans,	Kirley,	Price, R. A.,	Williams,
Ewing,	Kline,	Propert,	Wood,
Felton,	Kohl,	Readinger,	Worley,
Ferster,	Kolankiewicz,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,

Fox, Frank,	Leonard, Limper,	Robbins, Robertson,	Sorg, Speaker
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## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 242

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the formation of a State Association of Recorders of Deeds providing for the payment by counties of certain expenses in connection therewith and renumbering certain existing sections

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, line 7, by inserting after the word "therewith" the words "and limiting the amount thereof."

Amend Section 1, page 3, line 4, by inserting after the word "association" the words "but not exceeding twelve dollars per day together with eight cents per mile in going to and returning from such meeting;" page 3, line 8, by striking out after the word "exceed" the word "four" and inserting in lieu thereof the word "three."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altahuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Baumunk,	George,	McCormack,	Royer,
Bane,	Gibson,	McCullough,	Sarra,
Barkdoll,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsche,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,

Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. H.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Weacott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 300

An Act to add sections ninety-nine point one ninety-nine point two and ninety-nine point three to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing and regulating the formation of a State association by county treasurers and providing that certain expenses are to be paid by the counties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title page 2, by inserting after the word "counties" the words "and limiting the amount of such expenses."

Amend Section 1, page 3, line 6, by inserting after the word "association" the words "but not exceeding twelve dollars per day together with eight cents per mile in going to and returning from such meeting;" page 3, line 10, by striking out after the word "exceed" the word "four" and inserting in lieu thereof the word "three."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembockl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bombarger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Sollenberger,
Breisach,	Hall,	Monroe,	Spencer,
Breth,	Hamilton,	Moore, C. E.,	Stank,
Brice,	Harney,	Moore, H. A.,	Sternberg,
Brown, H. S.,	Harris,	Moran,	Stimmel,
Brown, W. E.,	Haudenshield,	Munley,	Stuart,
Brunner,	Heatherington,	Murray,	Swope,
Buchin,	Helm,	Musto,	Tahl,
Cadwalader,	Herman,	Nagel,	Taylor,
Clapper,	Hersch,	Najaka,	Thompson,
Clendenning,	Hewitt,	Needham,	Tompkins,
Cochran,	Hocker,	Neff,	Toomey,
Cole,	Hoffman,	Nixon,	Varallo,
Coleman,	Hoggard,	O'Dare,	Varner,
Conway,	Hunter,	O'Donnell,	Verona,
Cooper,	Jenkins,	Olsen,	Wachhaus,
Costa,	Jennings,	Orban,	Wagner,
Dalrymple,	Jim,	Penglase,	Wargo,
DeLong,	Johnson,	Pentrack,	Waterhouse,
Dennisson,	Jones, G. E.,	Peta,	Watkins,
Depuy,	Jones, J. M.,	Petrosky,	Weidner,
Dougherty,	Jump,	Pettigrew,	Weiss,
Driscoll,	Kamyk,	Pfaff,	Welsh,
Duffy,	Keller,	Posta,	Wescott,
Dye,	Kemp,	Polen,	Westrick,
Elder,	Kent,	Powers,	Wheeler,
Erb,	Kirley,	Price, H. W., Jr.,	Williams,
Evans,	Kline,	Price, R. A.,	Wood,
Ewing,	Kohl,	Propert,	Worley,
Felton,	Kolankiewicz,	Readinger,	Yaffe,
Ferster,	Kondrath,	Reagan,	Yeakel,
Filo,	Kratz,	Reese,	Yester,
Firmstone,	Kurtz,	Reidenbach,	Yetzer,
Flack,	Lederer,	Reilly, J. M.,	Young,
Fleming,	Lee,	Reynolds,	Ziegler,
Floyd,	Leisey,	Riley, R. L.,	Sorg,
Fox,	Leonard,	Robbins,	
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Erise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 308

An Act to quiet title to real estate and to facilitate the alienation thereof crating a presumption of payment satisfaction or release and making unenforceable any claim for money charged against real estate under any deed mortgage ground rent or decree of any court of common pleas of this Commonwealth and correcting defects in title arising out of unrecorded deeds and breaks in chain of title and making claims thereunder invalid by creating a presumption of release and satisfaction where such charges mortgages ground rents and decrees or defects of record arise occur or exist or are dated more than fifty years prior to the time of the institution of any proceeding hereunder to enforce payment perfect revive or continue the aforesaid lien charge or encumb-

rance or to enforce any right arising out of such a defect in title unless an action is instituted to enforce such charges mortgages ground rents and decrees as aforesaid against the present owners or action is taken to enforce any right arising out of such a defect in title within one year after the effective date of this act

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, line 3, by striking out after the word "unenforceable" the words "all mortgages judgments dowers recognizanees annuities unpaid legacies ground rents liens charges or encumbrances decree or other obligation or instrument" and inserting in lieu thereof the words "any claim for money charged against real estate under any deed mortgage ground rent or decree of any court of common pleas of this Commonwealth;" page 2, line 1, in inserting after the word "title" the words "arising out of unrecorded deeds and breaks in chain of title;" page 2, line 5, by striking out after the word "such" the words "liens charges or encumbrances" and inserting in lieu thereof the words "charges mortgages ground rents and decrees;" page 2, line 7, by striking out after the word "than" the word "thirty" and inserting in lieu thereof the word "fifty;" line 10, by striking out after the word "to" the words "correct or remedy" and inserting in lieu thereof the words "enforce any right arising out of such;" page 2, line 12, by striking out after the word "such" the words "lien charge or encumbrance" and inserting in lieu thereof the words "charges mortgages ground rents and decrees;" page 2, line 15, by striking out after the words "taken to" the words "perfect title to or to correct or remedy defects therein" and inserting in lieu thereof the words "enforce any right arising out of such a defect in title."

Amend Section 1, page 3, line 3, by striking out all of line 3; page 3, line 4, by striking out after the word "deed" the words "last will and testament;" page 3, line 4, by striking out after the word "mortgage" the words "dower recognizance legacy annuity judgment;" page 3, line 5, by inserting after the word "rent" the word "Or;" page 3, line 5, by striking out after the word "decree" the words "or other obligation or instrument" and inserting in lieu thereof the words "of any court of common pleas of this Commonwealth;" page 3, line 9, by striking out the word "thirty" and inserting in lieu thereof the word "fifty;" page 3, line 12, by striking out after the word "then" the word "thirty" and inserting in lieu thereof the word "fifty;" page 3, line 14, by striking out after the word "charge" the words "or encumbrance" and inserting in lieu thereof the words "mortgage ground rent or decree;" page 3, line 16, by striking out after the word "of" the word "thirty" and inserting in lieu thereof the word "fifty;" line 16, page 3, by striking out after the word "such" the words "encumbrance or charge by" and inserting in lieu thereof the words "charge mortgage ground rent or decree against;" page 4, line 2, by striking out after the word "such" the word "encumbrance or;" page 4, line 3, by inserting at the beginning of the line the words "mortgage ground rent or decree;" page 4, by striking out all of lines 9, 10, and 11.

Amend Section 2, page 4, line 12, by striking out after the word "all" the word "other;" page 4, line 12, by striking out after the word "cases" the words "not provided for in section one hereof in which" and inserting in lieu thereof the word "where;" page 4, line 14, by inserting after the word "deeds" the word "or;" page 4, line 16, by striking out the first word on the line "sixty" and inserting in lieu thereof the word "fifty;" page 5, line 3, by striking out after the word "to" the words "correct or remedy" and inserting in lieu thereof the words "enforce any right arising out of."

Amend Section 3, line 9, by striking out after the word "be" the figure and words "(1) in all cases in

which the encumbrance or charge is under a decree of orphans' court or by last will and testament dower or recognizance charged by said court by petition to the orphans' court in county in which the major portion of the land is situate and (2) in all other cases;" page 5, line 14, by striking out after the word "said" the words "encumbrance or charge as aforesaid of action to quiet title" and inserting in lieu thereof the words "charge mortgage ground rent or decree or to enforce any right arising out of such defect in title as provided under existing law."

Amend Section 4, page 6, line 1, by striking out after the word "such" the words "petition to the orphans' court and inserting in lieu "action;" page 6, line 3, by striking out after the word "of" the word "petitioner's or ;" page 6, line 5, by striking out after the word "the" the words "claim charge line encumbrance" and inserting in lieu thereof the words "charge mortgage ground rent or decree;" page 6, line 17, by striking out the words "or petition;" page 7, line 1, by striking out the words "lien debt encumbrance dower recognizance unpaid legacy or other such charge claim" and inserting in lieu thereof the words "charge mortgage ground rent decree" page 7, line 5, by striking out after the word "plaintiff" the words "or petitioner;" page 7, line 6, by striking out after the word "said" the words "debt lien charge legacy or encumbrance" and inserting in lieu thereof the words "charge mortgage ground rent or decree;" page 7, line 8, by striking out after the word "defendant" the words "or respondent;" page 7, line 8, by striking out after the word "action" the words "or petition;" page 7, line 9, by striking out after the word "plaintiff" the words "or petitioner;" page 7, line 11, by striking out after the word "defendant" the words "or respondent;" page 7, line 13, by striking out after the word "any" the words "decree judgment lien or other encumbrance;" page 7, line 13, by inserting after the word "charge" the words "mortgage ground rent decree;" page 7, line 14, by striking out after the word "right" the words "in or against the land" and inserting in lieu thereof the words "arising out of such defect in title."

Amend Section 5, page 7, line 18, by striking out after the word "land" the words "charged with liens or encumbrances" and inserting in lieu thereof the words "encumbered by such charges mortgages ground rents or decrees;" page 7, line 20, by inserting after the word "to" the word "such;" page 8, line 2, by inserting after the word "having" the word "such;"

Amend Section 6, page 8, line 10 by inserting after the word "original" the words "action or;" line 10, page 8, by striking out after the word "complaint" the words "or petition."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Althuler,  
Amarando,  
Andrews,  
Bane,  
Barkdoll,  
Baumunk,  
Beaver,  
Bednarek,  
Blair,  
Bloom,  
Boles,  
Bomberger,  
Boorse,  
Bower,  
Brandon,

Frost,  
Gaffney,  
Gallagher,  
George,  
Gibson,  
Glenbocki,  
Good,  
Goodling,  
Graybill,  
Green,  
Greenwood,  
Greer,  
Guarnieri,  
Guthrie,  
Hagerty,

Loftus,  
Lovett,  
Madigan,  
McCormack,  
McCullough,  
McGee,  
McKinney,  
McMillen,  
McNally,  
Mihm,  
Mikula,  
Miller,  
Milliken,  
Mills,  
Mintess,

Rose,  
Rosen,  
Rovanssek,  
Royer,  
Sarraf,  
Sax,  
Scanlon,  
Schmidt,  
Schuster,  
Scott,  
Seyler,  
Shoemaker,  
Smith, C. C.,  
Smith, W. B.,  
Snider,

Brelach,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brics,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherrington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Feister,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzter,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 454

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents supervisors of special education and district superintendents

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 11, line 5, by striking out after the word "the" the word "maximum" and inserting in lieu thereof the word "Minimum."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

- Altshuler,  
Amarando,  
Andrews,  
Bane,  
Barkdoll,  
Baumunk,  
Beaver,  
Bednarek,  
Blair,  
Bloom,  
Boles,  
Bomberger,  
Boorse,  
Bower,  
Brandon,  
Brelsch,  
Breth,  
Brice,  
Brown, H. S.,  
Brown, W. E.,  
Brunner,  
Bucchin,  
Cole,  
Coleman,  
Conway,  
Cooper,  
Costa,  
Dalrymple,  
DeLong,  
Dennison,  
Depuy,  
Dougherty,  
Driscoll,  
Duffy,  
Dye,  
Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank,

Frost,  
Gaffney,  
Gallagher,  
George,  
Gibson,  
Glembocki,  
Good,  
Goodling,  
Graybill,  
Green,  
Greenwood,  
Greer,  
Guarnieri,  
Guthrie,  
Hagerty,  
Hall,  
Hamilton,  
Harney,  
Harris,  
Haudenshield,  
Heatherington,  
Helm,  
Herman,  
Hersch,  
Hewitt,  
Hocker,  
Hoffman,  
Hoggard,  
Hunter,  
Jenkins,  
Jennings,  
Jim,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jump,  
Kamyk,  
Keller,  
Kemp,  
Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Leisey,  
Leonard,  
Limper,

Loftus,  
Lovett,  
Madigan,  
McCormack,  
McCullough,  
McGee,  
McKinney,  
McMillen,  
McNally,  
Mihm,  
Mikula,  
Miller,  
Milliken,  
Mills,  
Mintess,  
Monroe,  
Moore, C. E.,  
Moore, H. A.,  
Moran,  
Munley,  
Murray,  
Musto,  
Nagel,  
Najaka,  
Needham,  
Neff,  
Nixon,  
O'Dare,  
O'Donnell,  
Olsen,  
Orban,  
Penglase,  
Pentrack,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Posta,  
Polen,  
Powers,  
Price, H. W., Jr.,  
Price, R. A.,  
Propert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Rose,  
Rosen,  
Rovanssek,  
Royer,  
Sarraf,  
Sax,  
Scanlon,  
Schmidt,  
Schuster,  
Scott,  
Seyler,  
Shoemaker,  
Smith, C. C.,  
Smith, W. B.,  
Snider,  
Sollenberger,  
Spencer,  
Stank,  
Sternberg,  
Stimmel,  
Stuart,  
Swope,  
Tahl,  
Taylor,  
Thompson,  
Tompkins,  
Toomey,  
Varallo,  
Varner,  
Verona,  
Wachhaus,  
Wagner,  
Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Weiss,  
Welsh,  
Wescott,  
Westrick,  
Williams,  
Wood,  
Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,

Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in. Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 537

An Act to further amend section sixteen of the act, approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 758), entitled "An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering prescribing, and use of certain drugs, and keeping records thereof; by regulating the use of drugs in the treatment of the drug habit; by providing for the revocation and suspension of licenses of physicians, dentists, veterinarians, pharmacists, druggists, and registered nurses for certain causes, and by provid-

ing for the enforcement of this act, and penalties," by authorizing the Secretary of Health to make necessary rules and regulations for the proper enforcement of this act.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 3, line 2, by striking out after the word "make" the words "such rules and regulations as may be deemed necessary for the proper enforcement of this act" and inserting in lieu thereof the words "rules and regulations governing the dispensing distributing or giving away of any synthetic analgesic drug which possesses the qualities of habituation similar to morphine which the secretary of health may determine to be dangerous or deleterious or habit forming."

On the question, Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

- Altshuler,  
Amarando,  
Andrews,  
Bane,  
Barkdoll,  
Baumunk,  
Beaver,  
Bednarek,  
Blair,  
Bloom,  
Boles,  
Bomberger,  
Boorse,  
Bower,  
Brandon,  
Brelsch,  
Breth,  
Brice,  
Brown, H. S.,  
Brown, W. E.,  
Brunner,  
Bucchin,  
Cole,  
Coleman,  
Conway,  
Cooper,  
Costa,  
Dalrymple,  
DeLong,  
Dennison,  
Depuy,  
Dougherty,  
Driscoll,  
Duffy,  
Dye,  
Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank,

Frost,  
Gaffney,  
Gallagher,  
George,  
Gibson,  
Glembocki,  
Good,  
Goodling,  
Graybill,  
Green,  
Greenwood,  
Greer,  
Guarnieri,  
Guthrie,  
Hagerty,  
Hall,  
Hamilton,  
Harney,  
Harris,  
Haudenshield,  
Heatherington,  
Helm,  
Herman,  
Hersch,  
Hewitt,  
Hocker,  
Hoffman,  
Hoggard,  
Hunter,  
Jenkins,  
Jennings,  
Jim,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jump,  
Kamyk,  
Keller,  
Kemp,  
Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Leisey,  
Leonard,  
Limper,

Loftus,  
Lovett,  
Madigan,  
McCormack,  
McCullough,  
McGee,  
McKinney,  
McMillen,  
McNally,  
Mihm,  
Mikula,  
Miller,  
Milliken,  
Mills,  
Mintess,  
Monroe,  
Moore, C. E.,  
Moore, H. A.,  
Moran,  
Munley,  
Murray,  
Musto,  
Nagel,  
Najaka,  
Needham,  
Neff,  
Nixon,  
O'Dare,  
O'Donnell,  
Olsen,  
Orban,  
Penglase,  
Pentrack,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Polen,  
Posta,  
Powers,  
Price, H. W., Jr.,  
Price, R. A.,  
Propert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Rose,  
Rosen,  
Rovanssek,  
Royer,  
Sarraf,  
Sax,  
Scanlon,  
Schmidt,  
Schuster,  
Scott,  
Seyler,  
Shoemaker,  
Smith, C. C.,  
Smith, W. B.,  
Snider,  
Sollenberger,  
Spencer,  
Stank,  
Sternberg,  
Stimmel,  
Stuart,  
Swope,  
Tahl,  
Taylor,  
Thompson,  
Tompkins,  
Toomey,  
Varallo,  
Varner,  
Verona,  
Wachhaus,  
Wagner,  
Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Weiss,  
Welsh,  
Wescott,  
Westrick,  
Williams,  
Wood,  
Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,

Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in. Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 538

An Act to amend section ninety-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further providing for the payment of expenses of prothonotaries and clerks of court attending meetings of the state association

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, line 7, by striking out after the word "associations" the words "and the time to be spent at such meetings and providing for the payment of dues of such associations by counties;"

Amend Section 1, page 3, line 1, by inserting after the word "association" the words "but not exceeding twelve dollars per day together with eight cents per mile in going to and returning from such meeting," page 3, line 5, by striking out the word and figure "four (4);" page 3, line 11, by striking out after the word "provided" the words "the dues of the members of the association shall be paid by the respective counties but shall not exceed the sum of twenty-five dollars (\$25) for each office except where both offices are held by the same person. In such case the dues shall not exceed twenty-five dollars (\$25). Such dues shall be paid in addition to the amount paid for expenses of the officers attending meetings."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,  
Amarando,  
Andrews,  
Bane,  
Barkdoll,  
Baumunk,  
Beaver,  
Bednarek,  
Blair,  
Bloom,  
Boles,  
Bomberger,  
Boorse,  
Bower,  
Brandon,  
Breisch,  
Breth,  
Brice,  
Brown, H. S.,  
Brown, W. E.,

Frost,  
Gaffney,  
Gallagher,  
George,  
Gibson,  
Glembocki,  
Good,  
Goodling,  
Graybill,  
Green,  
Greenwood,  
Greer,  
Guarnieri,  
Guthrie,  
Hagerty,  
Hall,  
Hamilton,  
Harney,  
Harris,  
Haudenshield,

Loftus,  
Lovett,  
Madigan,  
McCormack,  
McCullough,  
McGee,  
McKinney,  
McMillen,  
McNally,  
Mihm,  
Mikula,  
Miller,  
Milliken,  
Mills,  
Mintess,  
Monroe,  
Moore, C. E.,  
Moore, H. A.,  
Moran,  
Munley,

Rose,  
Rosen,  
Rovaneck,  
Royer,  
Sarraf,  
Sax,  
Scanlon,  
Schmidt,  
Schuster,  
Scott,  
Seyler,  
Shoemaker,  
Smith, C. C.,  
Smith, W. B.,  
Snider,  
Sollenberger,  
Spencer,  
Stank,  
Sternberg,  
Stimmel,

Brunner,  
Bucchin,  
Cadwalader,  
Clapper,  
Clendenning,  
Cochran,  
Cole,  
Coleman,  
Conway,  
Cooper,  
Costa,  
Dalrymple,  
DeLong,  
Dennison,  
Depuy,  
Dougherty,  
Driscoll,  
Duffy,  
Dye,  
Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank,

Heatherington,  
Helm,  
Herman,  
Hersch,  
Hewitt,  
Hocker,  
Hoffman,  
Hoggard,  
Hunter,  
Jenkins,  
Jennings,  
Jim,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jump,  
Kamyk,  
Keller,  
Kemp,  
Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Lelsey,  
Leonard,  
Limper,

Murray,  
Musto,  
Nagel,  
Najaka,  
Needham,  
Neff,  
Nixon,  
O'Dare,  
O'Donnell,  
Olsen,  
Orban,  
Penglase,  
Pentrack,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Polen,  
Posta,  
Powers,  
Price, H. W., Jr.,  
Price, R. A.,  
Probert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Relly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Stuart,  
Swope,  
Tahl,  
Taylor,  
Thompson,  
Tompkins,  
Toomey,  
Varallo,  
Varner,  
Verona,  
Wachhaus,  
Wagner,  
Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Wells,  
Welsh,  
Wescott,  
Westrick,  
Wheeler,  
Williams,  
Wood,  
Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in. Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 577

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial school amending revising consolidating and changing the laws relating thereto" by requiring approval of State Council of Education and county board of school directors before creation or affecting boundaries of third and fourth class district

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 3, by striking out after the word "the" the words "county board of school directors and the," page 5, line 16, by striking out after the word "council" the words "or of the county board of school directors;" page 5, line 17, by striking out the words "the council" at the end of the line; page 4, line 20, by striking out after the word "and" the words "with the approval of the county board of school directors;" page 6, line 6, by striking out after the word "township" the words "may with the approval of the county board of school directors;" page 6, line 15, by striking out after the word "approved" the words "by the county board of school directors and."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate. Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsich,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Stenberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buccchin,	Helms,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weldner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Westrick,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,  
The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.  
Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 631

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims

registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices off the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing adding and deleting certain definitions changing certain fees further regulating the registration titling equipment license plates and size of certain vehicles and the licensing of operators. and prescribing additional enforcement and penal provisions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.  
The Clerk read the amendments as follows:

Amend the title page 2, line 15, by striking out after the word "fees" the words "eliminating from the act the requirements and provisions pertaining to engine numbers on engines of motor vehicles trailers and semi-trailers."

Amend Section 1, page 10, line 7, by inserting after the word "occupied" the words "by any person"; page 10, line 10, by striking out the words "on consignment or otherwise motor vehicles by any person duly licensed as a motor vehicle dealer" and inserting in lieu thereof the words "in motor vehicles trailers or semi-trailers"; page 10, line 11, by inserting after the word "vehicles" the words "trailers or semi-trailers"; page 10, line 13, by striking out after the word "of" the word "the" and inserting in lieu thereof the word "such"; page 10, line 13, by striking out after the word "business" the words "of such dealer."

Amend the bill, page 32, by striking out the following:  
Section 8 Sections three hundred one and three hundred two of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) are hereby further amended to read as follows

Section 301 Possession or Operation of a Motor Vehicle-Trailer, or Semi-Trailer with Defaced Numbers It shall be unlawful to have possession of or to operate a motor vehicle trailer, or semi-trailer on which the manufacturer's serial number [or engine number] has been omitted obliterated, or defaced Provided however That this shall not effect those persons authorized by law to have in their possession motor vehicles trailers, or semi-trailers on which the manufacturer's serial number [or engine number] has been omitted obliterated, or defaced

Penalty Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of two hundred (\$200) dollars and costs of prosecution or undergo imprisonment for not more than three (3) years or suffer both such fine and imprisonment

Section 302 Special Number Plate

(a) No motor vehicle trailer, or semi-trailer on which the manufacturer's serial number [or engine number] has been omitted obliterated, or defaced, shall be titled without special permit from the secretary

(b) Before a certificate of title for any such motor vehicle trailer, or semi-trailer can be obtained the owner shall apply to the secretary for a special number plate on a form furnished by the department which shall contain the full name and actual or bona fide address of the

owner the date of purchase of such motor vehicle trailer, or semi-trailer the name and address of the person from whom it was purchased together with satisfactory evidence that the [engine or] manufacturer's serial number was not removed for the purpose of concealing the identity of such vehicle trailer, or semi-trailer and shall be sworn to before a notary public or other officer empowered to administer oaths The secretary shall furnish a special number plate which shall be immediately placed on the component part from which the original number was destroyed removed covered altered, or defaced and the certificate of title will not be valid until this special number requirement has been complied with Such special number shall be preceded by the letter "S," and followed by "Pa"

Section 9 Sections three hundred three and three hundred four of said act as last amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) are hereby repealed

Section 10 Subsection (a) of section three hundred five and section three hundred six of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) are hereby further amended to read as follows

Section 305 Officer to Seize Motor Vehicle Trailer, or Semi-Trailer Having defaced Numbers Authority to Dispose of Same

(a) It shall be the duty of every peace officer having knowledge of a motor vehicle trailer, or semi-trailer on which the [engine number or] manufacturer's number has been destroyed removed covered altered, or defaced, to immediately seize and take possession of such motor vehicle trailer, or semi-trailer and arrest or file information for the arrest of the supposed owner or custodian thereof It shall be the duty of the court to retain in custody the seized motor vehicle trailer, or semi-trailer pending prosecution of the person arrested and in case such person shall be guilty said motor vehicle trailer, or semi-trailer shall remain in the custody of the court until the fine and costs of prosecution shall be paid Provided however if ninety (90) days have elapsed after judgment has been rendered and such fine and costs have not been paid the court shall proceed to advertise and sell said motor vehicle trailer, or semi-trailer in the manner provided by law for the sale of personal property under execution

The proceeds from such sale shall be used to pay the fine and costs of prosecution and the balance if any shall be forwarded to the department and same shall be transmitted to the State Treasury and credited to the 'Motor License Fund'

Section 306 Sale of Motor Vehicle Trailer, or Semi-Trailer with Defaced Number

Any person selling or offering for sale in this Commonwealth a motor vehicle trailer or semi-trailer on which the [engine number or] manufacturer's serial number has been destroyed removed covered altered, or defaced with knowledge of said destruction removal covering alteration or defacement of said [engine number or] manufacturer's serial number shall be guilty of a felony and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of five thousand (\$5000) dollars and costs of prosecution or undergo imprisonment for not more than ten (10) years or suffer both such fine and imprisonment

Section 11 Subsection (a) of section four hundred two of said act as last amended by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1056) is hereby further amended to read as follows

Section 402 Application for Registration

(a) Application for the registration of a motor vehicle trailer [,] or semi-trailer shall be made to the department upon a form furnished by the department The application shall contain the full name and the actual or bona fide address of the owner or owners together with the name manufacturer's serial number [engine number] the character of the motive power and the horsepower or

seating capacity and in the case of commercial motor vehicles the gross weight of the chassis as given and certified to by the manufacturer and in the case of electric commercial motor vehicles the gross maximum weight of chassis battery body [,] and load as given and certified to by the manufacturer and in the case of trailers and semi-trailers the combined weight of the chassis and body if so constructed or the gross weight of the trailer or semi-trailer exclusive of the load to be transported and also such description of the motor vehicle trailer [,] or semi-trailer including lamps and other equipment as the secretary shall require The application shall be signed by the owner if a natural person and in cases where the owner is a corporation copartnership or association [,] by an executive officer thereof or some person specifically authorized by said corporation copartnership [,] or association to sign the same and shall be accompanied by the fee provided in this act

Section 12 Subsection (a) of section four hundred five of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 405 Registration Cards

(a) The department upon registering a vehicle shall issue to the owner a registration card which shall contain the registration number assigned to the owner and to the vehicle the name and address of the owner also a description of the vehicle including the [engine and] manufacturer's serial numbers thereof and such other statement of facts as may be determined by the department [Where the vehicle registered is a motor bus designated in section 707 as class C D or E the registration card shall not include the engine number]

Amend the bill, page 38, line 7, by striking out after the word "section" the figure "13" and inserting in lieu thereof the figure "8."

Amend the bill, page 38, line 11, by striking out the following:

Section 14 Subsections (c) and (f) of section four hundred eleven of said act as last amended by the act approved the twenty-sixth day of April one thousand nine hundred forty-three (P. L. 74) is hereby further amended to read as follows

Section 411 Transfer of Registration Temporary Registration Cards

\* \* \* \* \*

(c) The application shall contain the full name and the actual or bona fide address of the owner together with the name manufacturer's serial number [engine number] the character of the motive power and the horsepower or seating capacity and in the case of a commercial motor vehicle the gross weight of the chassis as given and certified to by the manufacturer and in the case of electric commercial motor vehicles the gross maximum weight of chassis battery body [,] and load as given and certified to by the manufacturer and in the case of trailers and semi-trailers the combined weight of the chassis and body and also such description of the motor vehicle trailer [,] or semi-trailer including lamps and other equipment as the secretary shall require The application shall be signed by the owner if a natural person and in the cases where the owner is a corporation copartnership [,] or association by an executive officer thereof or some person specifically authorized by the said corporation copartnership [,] or association to sign the same

\* \* \* \* \*

(f) The secretary may allow the use of temporary registration cards pending the receipt of an annual registration card from the department which shall be valid for all purposes of this act but which shall be void upon the receipt of an annual registration card Temporary registration cards may be delivered to any notary public magistrate or dealer who shall have the authority to issue such temporary registration cards to any person upon the transfer of ownership of a motor vehicle Provided however That the secretary shall have the authority to sus-

pend the privilege of any such notary public magistrate or dealer to issue temporary registration cards and upon suspension of such privilege the secretary shall require the surrender of any temporary registration cards that such person shall have in his possession upon a finding by the secretary that such person has issued a temporary registration card containing a misstatement of fact or has issued a card in violation of any of the regulations promulgated by the secretary under authority of this subsection Temporary registration cards shall set forth the name and address of the owner of the vehicle the registration number the make [engine number] and manufacturer's number of the vehicle from which transfer of registration is desired and the make [engine number] and manufacturer's number of the vehicle that has been purchased the date of issuance of such temporary registration card and any other information that the secretary may require The secretary shall have the power to make such rules and regulations not inconsistent herewith as he shall deem necessary for the purpose of carrying out the provisions of this subsection

Amend the bill, page 41, line 1, by striking out after the word "section" the figure "15" and inserting in lieu thereof the figure "9"; page 41, line 19, by striking out after the word "section" the figure "16" and inserting in lieu thereof the figure "10."

Amend section 502, page 42, line 20, by striking out after the word "trailer" the brackets and comma "[,]"; page 43, lines 1, 2, 3, 5, 6, 7, 8, 12, 16, 17, 18, and 19 by striking out the brackets and comma "[,]"; page 44, lines 2 and 3 by striking out the brackets and comma "[,]."

Amend the bill, page 45, line 8, by striking out after the word "Section" the figure "18" and inserting in lieu thereof the figure "12."

Amend section 510, page 46, line 3, by striking out after the word "trailer" the brackets and comma "[,]."

Amend the bill, page 46, line 12, by striking out after the word "Section" the figure "19" and inserting in lieu thereof the figure "13."

Amend the bill, page 48, lines 4 and 7 by striking out the brackets and comma "[,]."

Amend the bill, page 49, line 3, by striking out after the word "Section" the figure "20" and inserting in lieu thereof the figure "14"; line 7 by striking out after the word "Section" the figure "21" and inserting in lieu thereof the figure "15."

Amend the bill, page 50, line 3, by striking out after the word "Section" the figure "22" and inserting in lieu thereof the figure "16"; line 7 by striking out after the word "Section" the figure "23" and inserting in lieu thereof the figure "17."

Amend the bill, page 51, line 1, by striking out after the word "Section" the figure "4" and inserting in lieu thereof the figure "18"; line 7 by striking out after the word "Section" the figure "25" and inserting in lieu thereof the figure "19"; line 11, by striking out after the word "Section" the figure "26" and inserting in lieu thereof the figure "20"; line 17 by striking out after the word "Section" the figure "27" and inserting in lieu thereof the figure "21."

Amend Section 711, page 52, line 3, by striking out the comma "[,]" and brackets at the beginning of the line; line 8 by striking out the comma and brackets "[,]" and line 17, by striking out after the word "Section" the figure "28" and inserting in lieu thereof the figure "22"; line 20 by striking out the brackets and comma "[,]" at the end of the line.

Amend the bill, page 53, line 6, by striking out after the word "Section" the figure "29" and inserting in lieu thereof the figure "23"; line 13 by striking out after the word "manufacturer" the brackets and comma "[,]."

Amend the bill, page 54, line 4, by striking out after the word "Section" the figure "30" and inserting in lieu thereof the figure "24"; line 20 by striking out the brackets and comma "[,]" after the word "trailer."

Amend the bill, page 55, line 13 by striking out the brackets and comma "[,]" after the word "trailer."

Amend the bill, page 56, line 18 by striking out the brackets and comma "[,]" after the word "trailer."

Amend the bill, page 58, line 6, by striking out after the word "Section" the figure "31" and inserting in lieu thereof the figure "25."

Amend the bill, page 59, line 3, by striking out after the word "Section" the figure "32" and inserting in lieu thereof the figure "26"; line 17, by striking out after the word "Section" the figure "33" and inserting in lieu thereof the figure "27."

Amend the bill, page 60, line 13, by striking out after the word "Section" the figure "34" and inserting in lieu thereof the figure "28."

Amend the bill, page 61, by striking out on lines 18 and 19 the brackets and comma "[,]."

Amend the bill, page 62, line 6, by striking out after the word "Section" the figure "35" and inserting in lieu thereof the figure "29."

Amend the bill, page 63, line 8, by striking out after the word "Section" the figure "36" and inserting in lieu thereof the figure "30."

Amend the bill, page 64, lines 2 and 4, by striking out the brackets and comma "[,]"; line 18, by striking out after the word "Section" the figure "37" and inserting in lieu thereof the figure "31."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, O. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Vallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglass,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,

Fleming,  
Floyd,  
Fox  
Frank,

Lee,  
Lelsey,  
Leonard,  
Limper,

Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Young,  
Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 646.

An Act to amend section seventy-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" limiting the amount payable by counties for defraying expenses of controllers' association's annual meeting and decreasing the number of days attendance at such annual meeting

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, line 5, by striking out after the word "thereto" the word "increasing" and inserting in lieu thereof the words "limiting the"; page 1, line 7, by inserting after the word "meeting" the words "and decreasing the number of days attendance at such annual meeting."

Amend Section 1, page 2, line 9, by inserting after the word "association" the words "but not exceeding twelve dollars per day together with eight cents per mile in going to and returning from such meeting"; page 2, line 14, by striking out after the word "exceed" the word "four" and inserting in lieu thereof the word "three"; page 3, by striking out the words "seventy-five" and inserting in lieu thereof the word "sixty."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,  
Amarando,  
Andrews,  
Bane,  
Barkdoll,  
Baumunk,  
Beaver,  
Bednarek,  
Blair,  
Bloom,  
Boles,  
Bomberger,  
Boorse,  
Bower,  
Brandon,  
Breisch,

Frost,  
Gaffney,  
Gallagher,  
George,  
Gibson,  
Glenbocki,  
Good,  
Goodling,  
Graybill,  
Green,  
Greenwood,  
Greer,  
Guarnieri,  
Guthrie,  
Hagerty,  
Hall,

Loftus,  
Lovett,  
Madigan,  
McCormack,  
McCullough,  
McGee,  
McKinney,  
McMillen,  
McNally,  
Mihm,  
Mikula,  
Miller,  
Milliken,  
Mills,  
Mintess,  
Monroe,

Rose,  
Rovanssek,  
Rosen,  
Royer,  
Sarraf,  
Sax,  
Scanlon,  
Schmidt,  
Schuster,  
Scott,  
Seyler,  
Shoemaker,  
Smith, O. O.,  
Smith, W. B.,  
Snider,  
Sollenberger,

Breth,  
Brice,  
Brown, H. S.,  
Brown, W. E.,  
Brunner,  
Bucchin,  
Cadwalader,  
Clapper,  
Clendenning,  
Cochran,  
Cole,  
Coleman,  
Conway,  
Cooper,  
Costa,  
Dalrymple,  
DeLong,  
Dennison,  
Depuy,  
Dougherty,  
Driscoll,  
Duffy,  
Dye,  
Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank,

Hamilton,  
Harney,  
Harris,  
Haudenshield,  
Heatherington,  
Helm,  
Herman,  
Hersch,  
Hewitt,  
Hocker,  
Hoffman,  
Hoggard,  
Hunter,  
Jenkins,  
Jennings,  
Jim,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jump,  
Kamyk,  
Keller,  
Kemp,  
Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Lelsey,  
Leonard,  
Limper,

Moore, O. E.,  
Moore, H. A.,  
Moran,  
Munley,  
Murray,  
Nagel,  
Najaka,  
Needham,  
Neff,  
Nixon,  
O'Dare,  
O'Donnell,  
Olsen,  
Orban,  
Penglass,  
Pentrack,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Polen,  
Posta,  
Powers,  
Price, H. W. Jr.,  
Price, R. A.,  
Probert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Spencer,  
Stank,  
Sternberg,  
Stimmel,  
Stuart,  
Swope,  
Tahl,  
Taylor,  
Thompson,  
Tompkins,  
Toomey,  
Varallo,  
Varner,  
Verona,  
Wachhaus,  
Wagner,  
Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Wells,  
Welsh,  
Wescott,  
Westrick,  
Wheeler,  
Williams,  
Wood,  
Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 798.

An Act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 9, page 16, line 8, by striking out after the word "or" the word "purchase" and inserting in lieu thereof the word "repurchase."

Amend Section 19, page 20, line 7, by striking out after the word "or" the word "circumstance" and inserting in lieu thereof the word "circumstances."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraff,
Baumunk,	Glembockl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Swope,	Tahl,
Cadwalader,	Herman,	Nagel,	Taylor,
Clapper,	Hersch,	Najaka,	Thompson,
Clendenning,	Hewitt,	Needham,	Tompkins,
Cochran,	Hocker,	Neff,	Toomey,
Cole,	Hoffman,	Nixon,	Varallo,
Coleman,	Hoggard,	O'Dare,	Varnier,
Conway,	Hunter,	O'Donnell,	Verona,
Cooper,	Jenkins,	Olsen,	Wachhaus,
Costa,	Jennings,	Orban,	Wagner,
Dalrymple,	Jim,	Penglase,	Wargo,
DeLong,	Johnson,	Pentrack,	Waterhouse,
Dennison,	Jones, G. E.,	Peta,	Watkins,
Depuy,	Jones, J. M.,	Petrosky,	Weidner,
Dougherty,	Jump,	Pettigrew,	Weiss,
Driscoll,	Kamyk,	Pfaff,	Welsh,
Duffy,	Keller,	Polen,	Westcott,
Dye,	Kemp,	Posta,	Westrick,
Elder,	Kent,	Powers,	Wheeler,
Erb,	Kirley,	Price, H. W., Jr.,	Williams,
Evans,	Kline,	Price, R. A.,	Wood,
Ewing,	Kohl,	Propert,	Worley,
Felton,	Kolankiewicz,	Readinger,	Yaffe,
Ferster,	Kondrath,	Reagan,	Yeakel,
Filo,	Kratz,	Reese,	Yester,
Firmstone,	Kurtz,	Reidenbach,	Yetzer,
Flack,	Lederer,	Reilly, J. M.,	Young,
Fleming,	Lee,	Reynolds,	Ziegler,
Floyd,	Lelsey,	Riley, R. L.,	Sorg,
Fox,	Leonard,	Robbins,	
Frank,	Limper,	Robertson,	

Speaker

## NAYS—0

## NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 853.

An Act to further amend section five of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by further regulating the taking of examinations for registration

With the information that the Senate has passed the

same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line one, by striking out after the word "within" the words "six months" and inserting in lieu thereof the words "two years"; page 3, line 2, by inserting after the word "second" the words "and third"; page 3, line 2, by striking out after the words "in a" the word "second" and inserting in lieu thereof the word "third."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraff,
Baumunk,	Glembockl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harris,	Moore, H. A.,	Stank,
Brown, H. S.,	Harney,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Westcott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	

Speaker

## NAYS—0

## NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

# HOUSE BILL No. 895.

An Act to further amend the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" by giving additional preferences to certain disabled soldiers and their wives

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 3, line 10, by inserting after the word "soldier" the word "and"; page 3, line 12, by striking out after the word "Administration" the words "and second preference to any other soldier"; page 3, line 18, by inserting after the word "soldier" the word "and"; page 4, line 1, by striking out after the word "administration" the words "and second preference to any other soldier"; page 4, line 6, by inserting after the word "soldier" the word "and"; page 4, line 8, by striking out after the word "administration" the words "and second preference to any soldier."

Amend Section 2, page 4, line 19 by striking out after the word "better" the word "or" and inserting in lieu thereof the word "and."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altschuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovasek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsich,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,

DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Wells,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

# HOUSE BILL No. 987.

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by granting certain preferences to soldiers in examinations selection and appointment of eligibles

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 3, page 7, line 2, by striking out after the word "appointment" the words "sufficient to make up a certified list of three eligibles"; page 9, line 10, by striking out all of lines 10, 11, 12, 13, 14, 15, and 16; line 17, by striking out after the word "section" the figure "5" and inserting in lieu thereof the figure "4."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altschuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Toomey,	
Coleman,	Hoggard,	Varallo,	
Conway,	Hunter,	Varner,	
Cooper,	Jenkins,	Verona,	
Costa,	Jennings,	Wachhaus,	
Dalrymple,	Jim,	Wagner,	
DeLong,	Johnson,	Wargo,	
Dennison,	Jones, G. E.,	Waterhouse,	
Depuy,	Jones, J. M.,	Watkins,	
Dougherty,	Jump,	Weidner,	
Driscoll,	Kamyk,	Weiss,	
Duffy,	Keller,	Welsh,	
Dye,	Kemp,	Wescott,	
Elder,	Kent,	Westrick,	
Erb,	Kirley,	Price, H. W., Jr.,	
Evans,	Kline,	Price, R. A.,	
Ewing,	Kohl,	Proper,	
Felton,	Kolankiewicz,	Readinger,	
Ferster,	Kondrath,	Reagan,	
Filo,	Kratz,	Reese,	
Firmstone,	Kurtz,	Reidenbach,	
Flack,	Lederer,	Reilly, J. M.,	
Fleming,	Lee,	Reynolds,	
Floyd,	Leisey,	Riley, R. L.,	
Fox,	Leonard,	Robbins,	
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1075.

An Act to further amend subsection (2) of section eleven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further regu-

lating the rights of contributors who have separated from and return to the employ of the Commonwealth

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment. The Clerk read the amendment as follows:

Amend Section 1, page 3, line 6, by striking out after the word "ten" the word "fifteen" and inserting in lieu thereof the word "twenty."

On the question,

Will the House concur in the amendment made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendment made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altschuler,	Frost,	Lovett,	Rose,
Amarando,	Gaffney,	Madigan,	Rosen,
Andrews,	Gallagher,	McCormack,	Rovanssek,
Bane,	George,	McCullough,	Royer,
Barkdoll,	Gibson,	McGee,	Sarraf,
Baumunk,	Glembocki,	McKinney,	Sax,
Beaver,	Good,	McMillen,	Scanlon,
Bednarek,	Goodling,	McNally,	Schmidt,
Blair,	Graybill,	Mihm,	Schuster,
Bloom,	Green,	Mikula,	Scott,
Boles,	Greenwood,	Miller,	Seyler,
Bomberger,	Greer,	Milliken,	Shoemaker,
Boorse,	Guarnieri,	Mills,	Smith, C. C.,
Bower,	Guthrie,	Mintess,	Smith, W. B.,
Brandon,	Hagerty,	Monroe,	Snider,
Breisch,	Hall,	Moore, C. E.,	Sollenberger,
Breth,	Hamilton,	Moore, H. A.,	Spencer,
Brice,	Harney,	Moran,	Stank,
Brown, H. S.,	Harris,	Munley,	Sternberg,
Brown, W. E.,	Haudenshield,	Murray,	Stimmel,
Brunner,	Heatherington,	Musto,	Stuart,
Bucchin,	Helm,	Nagel,	Swope,
Cadwalader,	Herman,	Najaka,	Tahl,
Clapper,	Hersch,	Needham,	Taylor,
Clendenning,	Hewitt,	Loftus,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Yester,
Dye,	Kemp,	Posta,	Yetzer,
Elder,	Kent,	Powers,	Welsh,
Erb,	Kirley,	Price, H. W., Jr.,	Wescott,
Evans,	Kline,	Price, R. A.,	Westrick,
Ewing,	Kohl,	Proper,	Wheeler,
Felton,	Kolankiewicz,	Readinger,	Williams,
Ferster,	Kondrath,	Reagan,	Wood,
Filo,	Kratz,	Reese,	Worley,
Firmstone,	Kurtz,	Reidenbach,	Yaffe,
Flack,	Lederer,	Reilly, J. M.,	Yeakel,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1113.

An Act to amend section three hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 1917) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to every county commissioner for the expenses pertaining to the institution district for a temporary period

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.  
The Clerk read the amendments as follows:

Amend the title, page 2, last line of title by inserting after the word "district" the words "for a temporary period."

Amend Section 1, page 4, line 17, by inserting after the word "district" the following: "Section 2 The provisions of this act shall become effective on July first one thousand nine hundred forty-nine and the additional expense allowance provided for herein shall terminate at the end of two (2) years after the effective date

On the question,

Will the House concur in the amendments made by the the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,

Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Klinge,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1320.

An Act transferring money from the Manufacturing Fund to the General Fund

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Celrk will read the amendment.  
The Clerk read the amendment as follows:

Amend Section 1, line 1, page 1, by striking out after the word "of" the words "one million three hundred thousand dollars (\$1,300,000) and inserting in lieu thereof the words "one million one hundred fifty thousand dollars (\$1,150,000)."

On the question,

Will the House concur in the amendment made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendment made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Amarando,	Frost,	Loftus,	Rose,
Altshuler,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,

Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bombberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewics,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.  
Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGES

## AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

## SENATE BILL No. 389.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

## SENATE BILL No. 494.

An Act to add section one thousand three hundred seventy-three point one to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to

private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of handicapped children and making an appropriation

## SENATE BILL No. 761.

An Act providing for payment into the State Treasury through the Department of Revenue without escheat of certain unclaimed funds held under policies of life or endowment insurance or annuity contracts and owing to persons whose last known address was in this Commonwealth by life insurance companies doing business in this Commonwealth requiring reports of such funds by such life insurance companies requiring notices and publication by the Department of Revenue of certain information pertaining to such unclaimed funds conferring powers and imposing duties on certain State officers boards and departments indemnifying and agreeing to hold harmless life insurance companies upon payment of such funds to the Department of Revenue providing for refunds of such funds requiring the Department of Revenue to keep certain records exempting certain unclaimed funds making certain other statutes inapplicable and prescribing penalties

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 24.

An Act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances hereto adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds

## HOUSE BILL No. 103.

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase condemnation lease or gift certain lands adjacent to the Daniel Boone Homestead property providing for the maintenance and improvement thereof and making an appropriation for the payment of the costs of such acquisition

## HOUSE BILL No. 206.

An Act to further amend section two thousand eight hundred one A of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards

and commissions shall be determined" further regulating the disposition of museum material in the custody of the Pennsylvania Historical and Museum Commission

#### HOUSE BILL No. 216.

An Act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds

#### HOUSE BILL No. 240.

An Act to further amend section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" by including Catholic War Veterans Inc among the veterans' organizations to which certain appropriations may be made

#### HOUSE BILL No. 241.

An Act to further amend clause thirty-four of section twenty-four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by including Catholic War Veterans Inc among the veterans' organizations for which certain appropriations may be made

#### HOUSE BILL No. 260.

An Act establishing a retirement system for game protectors of the Pennsylvania Game Commission providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by game protectors of the Pennsylvania Game Commission and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes making an appropriation and providing penalties

#### HOUSE BILL No. 285.

An Act to further amend sections one and eight of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" further regulating such retirement systems

#### HOUSE BILL No. 293.

An Act to further amend clause (b) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of

the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by reducing the working week of Capitol Police to five days

#### HOUSE BILL No. 320.

An Act to amend section one of the act approved the third day of April one thousand nine hundred twenty-nine (P. L. 127) entitled "An act fixing the fees of the recorder of deeds in counties of the third and fourth class" changing said fees

#### HOUSE BILL No. 364.

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

#### HOUSE BILL No. 438.

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring such townships to establish police pension funds in certain cases and permitting private police pension funds in such townships to elect to transfer their funds to township police pension funds

#### HOUSE BILL No. 448.

An Act relating to police pension funds in boroughs towns and townships and authorizing such political subdivisions to appropriate monies thereto

#### HOUSE BILL No. 480.

An Act to amend section one of the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 765) entitled "An act fixing the fees of the recorder of deeds in counties of the sixth seventh and eighth class" by clarifying the provisions relating to the payment by the county commissioners of certain fees for services rendered by the recorder of deeds

#### HOUSE BILL No. 786.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain admin-

istrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the cost price per copy of publications for distribution to the public

#### HOUSE BILL No. 911.

An Act to further amend section six of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drugs' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by providing additional grounds for revocation of registration

#### HOUSE BILL No. 946.

An Act to amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 759) entitled "An act providing for the acquisition and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission of the Bushy Run Battlefield and adjacent lands as a public historical park and for the erection of a monument or memorial therein authorizing the department to accept gifts for exhibition in and funds or securities to be invested for the benefit of said park imposing duties upon the Governor the Auditor General and the State Treasurer in connection with such funds or securities and making an appropriation" by authorizing the Bushy Run Battlefield Commission to accept gifts or bequests authorizing the commission to adopt and execute plans for the improvement preservation and maintenance of the park authorizing the commission to enter into agreements respecting highways railways railroads and other means of travel within the park and to regulate the travel and traffic over said park and police the same authorizing use of the park as a camping ground for the National Guard of Pennsylvania and permitting the erection of monuments or other memorials on the park grounds

#### HOUSE BILL No. 949.

An Act to repeal the act approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 535), entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments, and prescribing the procedure therefor," in so far as it relates to counties of the second class and cities, boroughs, townships, and school districts, situate in such counties.

#### HOUSE BILL No. 992.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Gov-

ernor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making the Bushy Run Battlefield Commission a departmental administrative commission in the Department of Forests and Waters

#### HOUSE BILL No. 1049.

An Act to further amend section four hundred four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by increasing benefits

#### HOUSE BILL No. 1077.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Allegheny County Pennsylvania for use in connection with the Moon Township Airport and ceding jurisdiction to the United States

#### HOUSE BILL No. 1086.

An Act authorizing the recorder of deeds in counties of the first class to appoint and empower clerks employed in his office to administer oaths and affirmations.

#### HOUSE BILL No. 1093.

An Act establishing a certain section of road over State-owned lands as a State Highway, and providing for the construction and maintenance at the expense of the Commonwealth.

#### HOUSE BILL No. 1098.

An Act to further amend section fourteen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for an additional option at superannuation

#### HOUSE BILL No. 1140.

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of The Coal Mine Sealing Act of 1947

## HOUSE BILL No. 1153.

An Act to further amend section two of the act, approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 589), entitled, as amended, "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocation, widening, or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies using such streets; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing or deleting certain routes as indicated and adding certain new routes.

With the information that the Senate has passed the same without amendment.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## SENATE BILL No. 389.

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by regulating the authority of school districts to purchase supplies and to perform and contract for construction, reconstruction, repairs and work of any nature.

## SENATE BILL No. 494.

An Act to add section one thousand three hundred seventy-three point one to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of handicapped children and making an appropriation.

## SENATE BILL No. 761.

An Act providing for payment into the State Treasury through the Department of Revenue without escheat of certain unclaimed funds held under policies of life or endowment insurance or annuity contracts and owing to persons whose last known address was in this Commonwealth by life insurance companies doing business in this Commonwealth requiring reports of such funds by such life insurance companies requiring notices and pub-

lication by the Department of Revenue of certain information pertaining to such unclaimed funds conferring powers and imposing duties on certain State officers boards and departments indemnifying and agreeing to hold harmless life insurance companies upon payment of such funds to the Department of Revenue providing for refunds of such funds requiring the Department of Revenue to keep certain records exempting certain unclaimed funds making certain other statutes inapplicable and prescribing penalties

## SENATE BILL No. 762.

An Act to further amend the act approved the seventh day of June 1915 (P. L. 878) entitled as amended "An act providing for the escheat of certain property received for storage or safe-keeping or otherwise and of certain deposits of money also for the escheat of certain dividends profits debts and interest on debts of corporations companies banks national banks trust companies insurance companies limited partnerships and partnerships associations doing business in this Commonwealth except building and loan associations also for the escheat of certain moneys property and estates held by persons partnerships associations or corporations in any fiduciary capacity whatsoever and the profits accretions and interest on such moneys property and estates as well as the interest thereon accrued between the date of the decree of any court ordering the distribution of such moneys property and estates and the actual distribution thereof also for the escheat of certain moneys paid into or deposited in any court of this Commonwealth or in any Federal court in and for any district within the Commonwealth or in the custody of any officer of such court and for the escheat of certain other moneys property and estates held in any manner by any person association or body corporate for the benefit of another" by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth

## SENATE BILL No. 881.

An Act to facilitate vehicular traffic in the Western section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near the City of Erie in Erie County to connect with the Pennsylvania Turnpike or the Western extension thereof at such point as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes and relocations and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

## SENATE BILL No. 901.

An Act accepting the grants requirements and benefits of an act of the eighty-first Congress of the United States approved one thousand nine hundred forty-nine known

as the Educational Finance Act of 1949 bearing public act No entitled "To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools and in reducing the inequalities of educational opportunities through public elementary and secondary schools for the general welfare and for other purposes

#### HOUSE BILL No. 137.

An Act to amend section nine hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" relating to fixed charges payable by the Commonwealth in lieu of taxes on real property

#### HOUSE BILL No. 141.

An Act to amend subsection (b) of section two hundred eighty-nine of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" relating to fixed charge payable by the Commonwealth in lieu of taxes on real property

#### HOUSE BILL No. 242.

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the formation of a State Association of Recorders of Deeds providing for the payment by counties of certain expenses in connection therewith and renumbering certain existing sections

#### HOUSE BILL No. 300.

An Act to add sections ninety-nine point one ninety-nine point two and ninety-nine point three to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing and regulating the formation of a State association by county treasurers and providing that certain expenses are to be paid by the counties

#### HOUSE BILL No. 308.

An Act to quiet title to real estate and to facilitate the alienation thereof creating a presumption of payment satisfaction or release and making unenforceable any claim for money charged against real estate under any deed mortgage ground rent or decree of any court of common pleas of this Commonwealth and correcting defects in title arising out of unrecorded deeds and breaks in chain of title and making claims thereunder invalid by creating a presumption of release and satisfaction where such charges mortgages ground rents and decrees or defects of record arise occur or exist or are dated more than fifty years prior to the time of the institution of any proceeding hereunder to enforce payment perfect revive or continue the aforesaid lien charge or encumbrance or to enforce any right arising out of such a defect in title unless an action is instituted to enforce such charges mortgages ground rents and decrees as aforesaid against the present owners or action is taken to enforce any right arising out of such a defect in title within one year after the effective date of this act

#### HOUSE BILL No. 454.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents supervisors of special education and district superintendents

#### HOUSE BILL No. 537.

An Act to further amend section sixteen of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" by authorizing the Secretary of Health to make necessary rules and regulations for the proper enforcement of this act.

#### HOUSE BILL No. 538.

An Act to amend section ninety-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further providing for the payment of expenses of prothonotaries and clerks of court attending meetings of the state association

#### HOUSE BILL No. 577.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring approval of State Council of Education and county board of school directors before creation or affecting boundaries of third and fourth class districts

#### HOUSE BILL No. 631.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation

and providing for refunds" by changing adding and deleting certain definitions changing certain fees further regulating the registration titling equipment license plates and size of certain vehicles and the licensing of operators and prescribing additional enforcement and penal provisions

#### HOUSE BILL No. 646.

An Act to amend section seventy-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" limiting the amount payable by counties for defraying expenses of controllers' association's annual meeting and decreasing the number of days attendance at such annual meeting

#### HOUSE BILL No. 798.

An Act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries

#### HOUSE BILL No. 853.

An Act to further amend section five of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by further regulating the taking of examinations for registration

#### HOUSE BILL No. 895.

An Act to further amend the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" by giving additional preferences to certain disabled soldiers and their wives

#### HOUSE BILL No. 987.

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by granting certain preferences to soldiers in examinations selection and appointment of eligibles

#### HOUSE BILL No. 1075.

An Act to further amend subsection (2) of section eleven of the act approved the twenty-seventh day of

June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further regulating the rights of contributors who have separated from and return to the employ of the Commonwealth

#### HOUSE BILL No. 1113.

An Act to amend section three hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to every county commissioner for the expenses pertaining to the institution district for a temporary period

#### HOUSE BILL No. 1320.

An Act transferring money from the Manufacturing Fund to the General Fund

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL 265

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 265, Printer's No. 138, for further amendments.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. GOODLING. Mr. Speaker, I move that this bill

together with the communication from the Governor, be laid upon the table.

The motion was agreed to.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 912.

An Act relating to and regulating the business of dry cleaning and dyeing as herein defined granting authority to and imposing duties upon the Department of Labor and Industry requiring approval by said Department of certain plans for dry cleaning and dyeing plants and the machinery equipment and systems used therein prescribing filing fees for applications for said approval providing for certain administrative and judicial review of the orders and decisions of said Department conferring authority upon certain employees of political subdivisions and representatives of the Pennsylvania State Police providing penalties for violations of the provisions of this Act or the regulations adopted thereunder and repealing certain acts

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 5, page 6, line 7, by striking out after the word "cleaning" the words "and dyeing plant" and inserting in lieu thereof the words "or dyeing room"; page 6, line 8, by striking out after the word "ground" the word "floor" and inserting in lieu thereof the words "level or in any story above the first story"; page 6, by striking out all of lines 11 and 12; page 6, by striking out all of lines 16 and 17; page 6, line 18, by striking out "(c)" and inserting in lieu thereof "(C)"; page 7, line 3, by striking out "(f)" and inserting in lieu thereof "(D)"; page 7, line 6, by striking out "(g)" and inserting in lieu thereof "(E)"; page 7, line 8 by striking out "(h)" and inserting in lieu thereof "(F)"; page 7, line 13, by striking out "(i)" and inserting in lieu thereof "(G)"; page 7, line 13, by inserting after the word "above" the word "the"; page 7, line 14, by inserting after the word "lines" the words "or ceiling level of the dry cleaning or dyeing room"; page 7, line 16, by striking out after the word "horizontally" the word "from" and inserting in lieu thereof the word "of"; page 7, line 18, by striking out "(g)" and inserting in lieu thereof "(H)"; page 8, line 1 by striking out "(k)" and inserting in lieu thereof "(I)".

Amend Section 6, page 9, by inserting after the word "vent" on line 20 the following: "(m) There shall be no basement cellar or other open space below the floor of any room used for dry cleaning or dyeing

(n) Any room used for the purpose of dry cleaning or dyeing shall have at least one exit which opens to the outside of the building."

Amend Section 7, page 10, line 13 by striking out after the word "any" the words "other functions or purpose than those related to the business of dry cleaning and dyeing provided however that a laundry business may be conducted in any such building in conjunction with the dry cleaning and dyeing business" and inserting in lieu thereof the following words "purposes of public assemblage for any living housing or dwelling purposes"; page 10, line 19, by striking out after the word "be" the words "constructed of such non-inflammable material" and inserting in lieu thereof "of fire resistive construction throughout"; page 11, line 4, by striking out after the

figure "(d)" the words "All rooms used for dry cleaning or dyeing shall be of non combustible material and construction"; page 11, line 6, by striking out "(c)"; page 11, line 7, by inserting after the word "brick" the words "or concrete Block"; page 11, line 8, by striking out after the word "than" the word "twelve" and inserting in lieu thereof the word "eight"; page 11, line 9, by striking out after the word "than" the word "sixteen" and inserting in lieu thereof the word "twelve"; page 11, line 12, by striking out "(f)" and inserting in lieu thereof "(E)"; page 11, line 14, by striking out the "(g)" and inserting in lieu thereof "(F)"; page 11, line 17, by striking out the "(h)" and inserting in lieu thereof "(G)"; page 12, line 1, by striking out the "(i)" and inserting in lieu thereof "(H)"; page 12, line 4, by inserting after the word "vent" the following:

"If any such room is located over a basement the floor of such room shall be liquid and vapor tight

(i) Any room used for the purpose of dry cleaning or dyeing shall have a least one exit which opens to the outside of the building or to an interior fire-proof fire structure

(j) Any basement cellar or other open space below the first story of any building in which a dry cleaning or dyeing plant is located shall be used only by the person partnership association or corporation operating such dry cleaning or dyeing plant and any such basement cellar or other open space shall have installed therein an exhaust fan or fans of sufficient size and a flue or flues of noncombustible material adequate to prevent concentration hereinafter specified for the dry cleaning or dyeing rooms in Class III dry cleaning and dyeing plants

Amend Section 8, page 13, by striking out at the end of line 8 the following: "other functions or purposes than those related to the business of dry cleaning and dyeing provided however that a laundry business may be conducted in any such building in conjunction with the dry cleaning and dyeing business" and inserting in lieu thereof the following: "purposes of public assemblage or for any living housing or dwelling purposes except that the owner of the dry cleaning or dyeing plant may occupy part of the building for his living quarters"; page 13, line 18, by striking out after the word "be" the following words "constructed of such non inflammable material as stone steel concrete brick tile and such other non inflammable material as may be approved in the regulations adopted by the Department as herein authorized" and inserting in lieu thereof the words "of fire resistive construction throughout"; page 14, line 7, by inserting at the end of line 7, the following:

"(e) Any room used for the purpose of dry cleaning or dyeing shall have at least one exit which opens to the outside of the building or to an interior fire-proof stairway

(f) The floor of every dry cleaning dyeing tumbler or drying room shall be of concrete construction if any such room is located over a basement the floor of such room be liquid and vapor tight

(g) Any basement cellar or other open space below the first story of any building in which a dry cleaning or dyeing plant is located shall be used only by the person partnership association or corporation operating such dry cleaning or dyeing plant and any such basement cellar or other open space shall have installed therein an exhaust fan or fans of sufficient size and a flue or flues of non-combustible material adequate to prevent concentration of vapors above the maximum concentration hereinafter specified for the dry cleaning or dyeing rooms in Class IV dry cleaning and dyeing plants."

Amend Section 9, page 15, line 12, by inserting after the word "or" the words "open flame or incandescent"; page 15, line 14, by striking out after the word "room" the words "or in any line of vapor travel therefrom"; page 16, line 5, by striking out the words "litharged and glycerined" and inserting in lieu thereof the following words "with a suitable sealing compound"; page 16, line 6, by striking out after the word "drained" the words "by gravity"; page 16, line 19, by striking out after the

word "of" the words "approved type" and inserting in lieu thereof the words "a type and size approved by the department"; page 17, line 1, by striking out the word "two" and inserting in lieu thereof the word "five"; page 17, line 2, by striking out after the word "than" the word "two" and inserting in lieu thereof the word "five"; page 17, line 11, by inserting after the word "solvent" the words "shall have used therein any solvent other than that".

Amend Section 10, page 18, by striking out all of line 7, and inserting in lieu thereof the following: "operation in case of fire an approved system using a fire deterrent chemical or gas or an approved sprinkler system may be installed in lieu of a steam extinguishing system"

(b) A steam fire protection system shall be."

Page 18, by striking out all of lines 15 and 16; page 18, line 17 by striking out "(b)" and inserting in lieu thereof "(c)"; page 19, by striking out all of lines 1 and 2; page 19, line 3, by inserting after the word "fan" the words "or fans."

Amend Section 11, page 19, line 8 by inserting after the word "fan" the words "or fans"; page 25, line 18 by striking out after the word "effective" the words "on the first day of January one thousand nine hundred fifty" and inserting in lieu thereof the following: "immediately upon final enactment."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraff,
Baumunk,	Glenbocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Wells,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,

Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank

Kurtz,  
Lederer,  
Lee,  
Lelsey,  
Leonard,  
Limper

Reidenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson.

Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

## NAYS—0

## NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 286, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on pay-rolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," eliminating certain obsolete provisions thereof, clarifying certain definitions and terms, changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendments:

Amend Section 1, page 2, line 1 by striking out after the figure "1" the word "Section", and inserting in lieu thereof the following: "Subsections (a) to (j) inclusive, (1) to (x), inclusive, (z), (z.1), and (z.2) of section."

Amend Section 1, (Sec. 4), page 9, line 20 by striking out all of said line.

Amend Section 1, (Sec. 4), page 10 by striking out all of lines 1 to 13 inclusive.

Amend Section 1, (Sec. 4), page 30 by striking out all of lines 1 to 20 inclusive.

Amend Section 1, (Sec. 4), page 31 by striking out all of lines 1 and 2.

On the question,

Will the House agree to the amendments?

Mr. EVANS. Mr. Speaker, so that there may not be confusion on our side of the House, these are not the amendments that I made reference to in my talk. I am going to vote for these amendments.

They were agreed to.

The section was agreed to as amended.

The second to fifth sections inclusive were separately read and agreed to.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendments:

Amend Section 6, page 39 by striking out all of lines 7 to 19 inclusive.  
 Amend Section 6, page 40 by striking out all of lines 1 to 19 inclusive.  
 Amend Section 6, page 41 by striking out all of lines 1 to 19 inclusive.  
 Amend Section 6, page 42 by striking out all of lines 1 to 19 inclusive.  
 Amend Section 6, page 42 by striking out all of lines 1 to 19 inclusive.  
 Amend Section 6, page 43 by striking out all of lines 1 to 19 inclusive.  
 Amend Section 6, page 44 by striking out all of lines 1 to 19 inclusive.  
 Amend Section 6, page 45 by striking out lines 1 to 19 inclusive.  
 Amend Section 6, page 46 by striking out lines 1 to 16 inclusive.  
 Amend Section 6, page 47 by striking out lines 1 to 19 inclusive.  
 Amend Section 6, page 48 by striking out lines 1 to 19 inclusive.  
 Amend Section 6, page 49 by striking out lines to to 19 inclusive.  
 Amend Section 6, page 50 by striking out lines 1 to 19 inclusive.  
 Amend Section 6, page 51 by striking out lines 1 to 19 inclusive.  
 Amend Section 6, page 52 by striking out lines 1 to 19 inclusive.  
 Amend Section 6, page 53 by striking out lines 1 to 19 inclusive.  
 Amend Section 6, page 54 by striking out lines 1 to 19 inclusive.  
 Amend Section 6, page 55 by striking out lines 1 to 20 inclusive.  
 Amend Section 6, page 56 by striking out lines 1 to 18 inclusive.  
 Amend Section 6, page 57 by striking out lines 1 to 17 inclusive.

They were agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Section 7, page 57, line 18 by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figure "6".

It was agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Section 8, page 58, line 13 by striking out after the word "Section" the figure "8" and inserting in lieu thereof the figure "7".

It was agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Section 9, page 59, line 19 by striking out after the word "Section" the figure "9" and inserting in lieu thereof the figure "8".

It was agreed to.

The section was agreed to as amended.

The tenth section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Section 10, page 63, line 6 by striking out after the word "Section" the figure "10" and inserting in lieu thereof the figure "9".

It was agreed to.

The section was agreed to as amended.

The eleventh section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Section 11, page 63, line 9 by striking out after the word "Section" the figure "11" and inserting in lieu thereof the figure "10".

It was agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Section 12, page 65, line 7 by striking out after the word "Section" the figure "12" and inserting in lieu thereof the figure "11".

It was agreed to.

The section was agreed to as amended.

The thirteenth section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Section 13, page 68, line 8 by striking out after the word "Section" the figure "13" and inserting in lieu thereof the figure "12".

It was agreed to.

The section was agreed to as amended.

The fourteenth section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Section 14, page 69, line 7 by striking out after the word "Section" the figure "14" and inserting in lieu thereof the figure "13".

It was agreed to.

The section was agreed to as amended.

The fifteenth section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Section 15, page 70, line 14 by striking out after the word "Section" the figure "15" and inserting in lieu thereof the figure "14".

It was agreed to.

The section was agreed to as amended.

The sixteenth section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Section 16, page 72, line 12 by striking out after the word "Section" the figure "16" and inserting in lieu thereof the figure "15".

It was agreed to.

The section was agreed to as amended.

The seventeenth section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Section 17, page 72, line 15 by striking out after the word "Section" the figure "17" and inserting in lieu thereof the figure "16".

It was agreed to.

The section was agreed to as amended.

The eighteenth section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Section 18, page 74, line 3 by striking out after the word "Section" the figure "18" and inserting in lieu thereof the figure "17".

It was agreed to.

The section was agreed to as amended.

The nineteenth section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendments:

Amend Section 19, page 74, line 6 by striking out after the word "Section" the figure "19" and inserting in lieu thereof the figure "18".

Amend Section 19, page 74, line 6 by striking out after the word "provisions" all of the balance of said line.

Amend Section 19, page 74, line 7 by striking out at the beginning of said line the word "six" and inserting in lieu thereof the following: "of this act".

Amend Section 19, page 74, line 8 by striking out after the word "forty-nine" all of the balance of said line.

Amend Section 19, page 74 by striking out all of line 9.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 585, entitled:

An Act authorizing certain officers in cities of the first and second class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class in cities of the second class and in school districts of the first class under certain conditions

The first section was read.

On the question,

Will the House agree to the section?

Mr. SCHMIDT offered the following amendments:

Amend Section 1, page 2, lines 2 and 3, by striking out "in cities of the second class."

Amend Section 1, page 2, lines 9, 10 and 11, by striking out "the controller treasurer and pres-" in line 9, all of line 10, and "if (C)" in line 11.

They were agreed to.

The section was agreed to as amended.

The second to sixth sections inclusive were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the section?

Mr. SCHMIDT offered the following amendments:

Amend Title, page 1, lines 5 and 6 of title, by striking out "and second".

Amend Title, page 2, lines 1 and 2 of title, by striking out "in cities of the second class."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 736, entitled:

An Act to amend the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

The first section was read.

On the question,

Will the House agree to the section?

Mr. VERONA offered the following amendments:

Amend Section 403, Page 3, Line 16, by inserting after the word "club" and before the word "liquor" the following: "airport restaurant".

Amend Section 403, Page 3, Line 17, by inserting after the partial word "censes" and before the word "Upon" the following: "A".

Amend Section 403, Page 5, Line 2, by inserting the following: "B The Board is hereby authorized to issue a liquor license to any applicant who meets all of the requirements of this act when such applicant is applying for a liquor license for a restaurant being operated on to be operated upon the premises of a commercially licensed airport being served by scheduled common carrier by air of mail and passengers and said board shall disregard the population restrictions of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities" in connection with any such application No commercially licensed airport shall have upon its premises more than one restaurant with a liquor license

If any commercially licensed airport shall have its license as an airport suspended the liquor license of the restaurant thereon operated shall be suspended during the same period of suspension and should any commercially operated airport have its license as an airport

revoked the liquor license of the restaurant thereon operated shall be revoked."

On the question,

Will the House agree to the amendments?

Mr. JOHNSON. Mr. Speaker, we have two liquor bills on our calendar, this bill, which is on second reading, Senate Bill 736, and Senate Bill 735, which is on the third reading calendar which passed second reading yesterday.

The amendments which the gentleman from Allegheny, Mr. Verona, has offered seek to add to Senate Bill 736 the right to license airports. This bill that we have under consideration at the present time, Senate Bill 736, and I might also say Senate Bill 735 on third reading, are not licensing bills as such; they are bills which have to do with the judicial process; they are judicial bills.

These bills have to do with appeals on the part of licensees, meaning clubs, hotels and taverns, in appeals from decisions of the Board to the Court of Quarter Sessions and on to the Superior Court.

These bills have been given thorough study by those who are interested in the licensees, that is clubs, hotels and taverns. They have also been studied and approved by those interested in the churches, fraternal institutions and other folks who you might say are on the other side of the question having to do with licensing and so forth. My understanding is that both sides have approved these bills.

So far as club licenses are concerned this opens up a new avenue, shall I say, in that it is more or less, I would say, a magna charta for them. It gives them greater right of appeal to the Court of Quarter Sessions and, of course, the right of appeal to the Superior Court. It also gives them the right of appeal in the matter of granting licenses where the licensee's establishment is within three hundred feet of the area of a church or fraternal institution or public playground. So, I say we have these bills which are approved by everybody, and they now seek to amend these bills and add a lot of other matters to them. The bills will not have the general approval that they now enjoy, and therefore I ask the House to vote down this amendment.

Mr. STUART. Mr. Speaker, I think that of all places in this world where liquor should not be sold, it is at airports.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER declared the "nays" appear to have it.

Whereupon, a division was called for, twenty-seven Members voting in the affirmative and one hundred five in the negative, the question was determined in the negative and the amendments were not agreed to.

The section was agreed to.

The SPEAKER. Will the gentleman from Allegheny, Mr. Verona, withdraw his amendments to the title?

Mr. VERONA. I will, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The second third and fourth sections were separately read and agreed to.

Messrs. BRICE and KOLANKIEWICZ offered the following amendment to the bill:

Amend Bill, page 12, by inserting between lines 11 and 12, the following:

"Section 5. Said act is hereby amended by adding after article four, a new article to read as follows:

#### Article IV-A

##### Canteen Licenses

"Section 401-A. Definitions.—When used in this article the following words and phrases shall have the meaning ascribed to them in this section:

(1) "Canteen" shall mean any incorporated post, branch, camp, detachment or other subordinate unit of a national organization of veterans having fifty (50) or more members or the home association of any such unit having fifty (50) or more members.

(2) "National organization" shall mean an organization of war veterans having posts, branches, camps, detachments or other subordinate units in twenty-five (25) or more states and having State organizations and officers in each such State, and a national organization and national officers.

(3) "Home Association" shall mean a nonprofit corporation incorporated in Pennsylvania whose membership shall consist solely of members of a post, branch, camp, detachment or other unit of a national organization and associate members as herein defined, and whose officers hold the same or corresponding offices in such post, branch, camp, detachment or unit. The number of associate members shall never exceed the number of members in any home association.

(4) "Member" shall mean any person who is a member in good standing of a post, branch, camp, detachment or other subordinate unit of a national organization of veterans in accordance with the constitution and by-laws of such national organization.

(5) "Associate member" shall mean any person who has been elected an associate member by the home association by ballot after written application and investigation and who has paid initiation fees and current dues in the same amount as a member. No person can be an associate member unless related to a member by blood or marriage within the second degree of kindred and unless he is ineligible to be a member as herein defined.

(6) "Veteran" shall mean a person who served in the armed forces of the United States during any war in which the United States engaged and who has an honorable discharge from such service.

Section 402-A. The Canteen License.—The Pennsylvania Liquor Control Board shall issue a canteen license to every applicant who qualifies as a canteen under and complies with the provisions of this article. Such license shall entitle the licensee to purchase liquor at wholesale from the Pennsylvania Liquor Stores, to purchase malt or brewed beverages under the same restrictions as a retail dispenser of malt or brewed beverages to keep on the licensed premises such liquor and malt or brewed beverages and subject to the provisions and restrictions of this act to sell the same to members and associate members.

Section 403-A. Application for License.—Every applicant for a canteen license shall file a written application with the board in such form and containing such information as the board shall deem necessary for the purpose of carrying out the provisions of this article. Such application shall be accompanied by a filing fee of ten dollars (\$10) and the license fee and bond hereinafter prescribed.

Attached to each application there shall be a statement signed by the head State officer of the organization of which the applicant is a unit, setting forth that the applicant is a subsidiary or unit in good standing of the national organization.

All applications shall be verified by affidavit of the designated officer of the applicant and bear the seal and attestation of the corporation.

Section 404-A. Issuance of Licenses.—Upon receipt of the application, the fees and bonds, and upon being satisfied of the truth of the statements in the application, the board shall issue to the applicant a canteen license. During the twelve (12) calendar months immediately following the effective date of this amending act, the board shall accept applications at any time and shall issue said

licenses as soon as it is satisfied that the requirements of this act have been complied with. Such licenses shall expire on the same day as other retail liquor licenses issued by the board in the same licensing district. Thereafter the board in carrying out the provisions of this article shall follow the same law, rules and regulations as for other types of licenses allowing sales of liquor for consumption on the premises with regard to the dates for filing and receiving applications for the issuance of licenses and the expiration and annual renewals thereof. No license shall be refused on the grounds that the applicant has been incorporated for a period of less than one (1) year. No license shall be issued to any canteen situated in any local option area where the electors have voted against the sale of liquor and malt or brewed beverages, and the board shall in its discretion grant or refuse a license or transfer of a license if the place proposed to be licensed is within four hundred (400) feet of any church, hospital, charitable institution, school or public playground, or if such new license or transfer is applied for a place where the principal business conducted is the sale of liquid fuels and oil.

**Section 405-A. License Hearings.**—The board shall hold a hearing whenever it is not satisfied that an applicant for a license or for a renewal thereof fully complies with the requirements of this article. Such hearing must be within sixty (60) days after the date of the filing of the application. Notice of the hearing shall be mailed to the applicant at the address given in the application at least ten (10) days prior to the hearing. The hearing shall be before the board, a member thereof or an examiner designated by the board. The board shall present its reasons for believing the applicant has not complied with the requirements of the article and the applicant by any of its officers or counsel may present evidence as to its compliance with the article and its eligibility for a license.

Within thirty (30) days after such hearing, the board shall render a written decision either granting or refusing the license or renewal and if refusing the same, the decision shall contain the reasons therefor and cite the evidence upon which the reasons are founded. Any party to the proceedings, dissatisfied with the decision of the board, may within twenty (20) days appeal to the court of quarter sessions of the county in which the canteen is located in the same manner as provided by law for appeals by applicants for restaurant liquor licenses.

**Section 406-A Display of License.**—Every license issued under the provisions of this article shall be constantly and conspicuously exposed under transparent substance on the licensed premises.

**Section 407-A. Licensee to Furnish Bond.**—A canteen license shall not be issued to any canteen until the applicant therefor has filed with the board an approved bond payable to the Commonwealth of Pennsylvania in the amount of one thousand dollars (\$1000). Such bond shall have as surety a duly authorized surety company.

**Section 408-A. License Fees.**—License fees and renewal fees for canteens shall be graduated according to the membership including associate members as shown by the books of the corporation at the time of the application for license or for a renewal thereof as follows:

Canteens having fifty (50) but not more than one hundred (100) members and associate members fifty dollars (\$50).

Those having more than one hundred (100) but not more than five hundred (500) members and associate members one hundred dollars (\$100).

Those having more than five hundred (500) members and associate members two hundred dollars (\$200).

**Section 409-A. License Not Assignable; Transfer.**—Licenses issued under this article may not be assigned or transferred except that the licensee shall have the right to have the license transferred from the location to another in the same city, borough, town or township, upon application and payment to the board of a fee of twenty-five dollars (\$25).

**Section 410-A. Annual Renewals.**—All applications for renewals of licenses shall be filed at least sixty (60) days

before the expiration of the same on forms provided by the board. Each such application shall be accompanied by the filing fee, the annual license fee and bond hereinbefore prescribed for original licenses. The board shall issue such renewals notwithstanding the fact that a citation is pending against the licensee but the renewal license shall be subject to any penalty which could have been imposed under the prior license.

**Section 411-A. Suspension and Revocation of Licenses; Compromises.**—(a) The licenses issued under the provisions of this article may be suspended or revoked in the same manner and for the same causes provided by the provisions of the act herein amended for restaurant licenses except that the citation for any alleged violation must be forwarded to the licensee within sixty (60) days from the date the board or its agents has knowledge of the alleged violation.

(b) In those cases where the board shall suspend the license, offers in compromise may be accepted by the board in the same manner as provided by law for other retail liquor licensees, but no compromise shall be accepted where the licensee has previously had two (2) offers in compromise accepted.

(c) The board shall suspend any license issued under this article (1) if the National organization loses its standing as a National organization as herein defined or (2) if the post, branch, camp, detachment or other subordinate unit has its charter suspended or revoked. Such suspension shall not be lifted by the board until all the provisions of this article have again been complied with in the same manner as if a new license were being applied for.

(d) The board shall suspend a license issued under the provisions of this article when the canteen ceases to hold regular meetings, maintain the required membership and becomes a one-man canteen or under the control of one (1) member.

**Section 412-A. Sales by Licensees.**—Each canteen licensed under the provisions of this article may sell liquor and malt or brewed beverages by the glass or other container and in any mixture for consumption on the licensed premises to any member or associate member.

Canteens may sell only after eleven o'clock ante meridian of any day and until two o'clock ante meridian of the following day. They may not sell during any day on which a general municipal or primary election is being held until one hour after the time fixed by law for closing the polls. The board may with the approval of the Governor temporarily close all canteens within any city, borough, town or township during any period of emergency proclaimed by the Governor.

**Section 413-A. Unlawful Acts.**—It shall be unlawful for any licensee, its servants, agents or employes to dispense liquor or malt or brewed beverages to any person other than members or associate members, or to any person or at any time except as authorized and provided for under the provisions of this article.

**Section 414-A. Disposition of Moneys Collected.**—All moneys collected by the board under the provisions of this article shall be disposed of in the same manner as moneys collected from restaurant licensees.

**Section 415-A. Construction.**—All the provisions of the act herein amended and of all other laws relating to liquor and malt or brewed beverages which apply to club licensees licensed under the provisions of said act shall remain in force and shall apply to canteens licensed under this article except in so far as they are inconsistent with the provisions of this article."

On the question,

Will the House agree to the amendment?

Mr. READINGER. Mr. Speaker, I would request that the sponsor of the amendment explain the amendment so that all the Members will know what they are about.

The SPEAKER. Will the gentleman from Lawrence, Mr. Brice, explain the amendments?

Mr. BRICE. Mr. Speaker, I yield to the gentleman from Dauphin, Mr. Frank.

The SPEAKER. The gentleman from Dauphin will proceed.

Mr. FRANK. Mr. Speaker, the amendments as offered, perhaps we shall identify them best by designating them "canteen" amendments. These amendments as offered grant to veterans organizations licenses outside of the quota law.

Generally speaking, I will try to enumerate the provisions under which they would be granted in a very short time. Those who may obtain a license are any incorporated post, branch, camp, lodge or other subordinate unit of a national veteran's organization.

A national organization shall be an organization having posts, branches and camps or subordinate units in twenty-five or more states. The unit that is granted a license must belong to a national veteran's organization, which has very definite welfare and fraternal benefits. The members must be members of the national organization, paying dues required by the national organization and admitted according to the bylaws and constitution of the national organization. Under our amendments there are no social members. Associate members must be within the second degree of kindred by blood or marriage. The minimum number must be fifty. The application would be by the ordinary form plus certification from the senior state officer; that the group be licensed by the national organization. Licenses shall be conducted in the same manner as under the present law, except that a maximum time is fixed and bond will be one thousand dollars; the license fees will be from fifty to two hundred dollars, according to membership. There will be no assignable provisions except from one location to another in the same municipality.

Suspension—the action to be brought within thirty days following the date of the violation. One other thing, the hours of sale, from eleven a.m. to two a.m. the following morning—closed on election day.

I need not tell you that this is purely a veteran's amendment. Some will say it is class legislation; some will say it is unconstitutional, but I appeal to you to support these amendments, because we feel that it is not class legislation, any more so than hotels or Pullman cars. We feel that under these amendments it will be a step forward in the right direction towards the proper classification of quotas.

We are opposed to Senate Bill 736 as it is now written. You can say that all these organizations are in favor of it, but as we see it, Senate Bill 736 merely passes the buck from the lower court to the higher court; it passes the buck to someone who knows no more about the local situation than does the lower court.

You all know the difficulties—you all know that the adjacent counties have not decided yet what comes under the quota law and what does not. I think I have perhaps made myself clear in what the amendments call for, and I will not take up any more of your time. If I can answer your questions, I will be glad to do so. I only appeal to you to give to the veterans group the opportunity which other clubs are enjoying and an opportunity to preserve one of the greatest institutions that we have in our country today, the veterans' associations.

Mr. READINGER. Mr. Speaker, I regret very much that I must rise to oppose these amendments. I say that

sincerely because I have the highest regard for the author of the amendments, the gentleman who has just spoken, and also the highest regard for all veterans, but we have a problem here which is not quite as simple as it may seem on its face.

In order to intelligently vote on these amendments I think we should take a moment to go over the history of our liquor license legislation in Pennsylvania. In 1939 this Legislature passed the so-called quota law. It was passed during the last days of the Session. There was a great deal of confusion about it, not in the minds of the Members of the Legislature, but perhaps in the printing of them, because as the bill was printed and finally passed by us, it was so ambiguous that since that time it has been possible for the courts of this Commonwealth, the Courts of Common Pleas to rule in two different ways. I think there are about twenty-eight counties in the state who have held that the clubs do not come under the quota and perhaps twenty-two or twenty-three counties have ruled that they are under the quota law.

I happened to have been here in 1939 and I know what the men of that Session wanted to do when they passed the quota law. We might say that that is water over the dam because courts did not much care what we had in our minds about it, but they look at the laws as we pass them and they interpret them in accordance with their understanding of the laws of this Commonwealth and of the United States. However, we do have this confused situation and for ten years there has been an attempt made to straighten it out. Every Session since 1939 there have been bills in this Legislature, either to put the clubs under the quota law or take them out of the quota law. Many of you are here who were present during the Session of 1947, and will remember that Session.

Elwood Turner, I believe it was, introduced House Bill 1170. That bill as it finally passed the House definitely took clubs out of the quota law. It was passed over to the Senate, and the Senate proceeded to kill it by keeping it in Committee. The Senate then passed Senate Bill No. 816, which would have allowed veterans' organizations exactly as described in this present amendment, for a period of eighteen months to apply for and obtain a club liquor license. The bill passed the Senate, came over here and it was passed here. It then went to the Governor and the Governor vetoed it. At the time Senate Bill 816 was up for discussion before this House, I took the floor and argued against it. I did so on the ground that I did not think it was a proper classification, I believed it was unconstitutional, and I did not think it was fair to give to one group a club liquor license and exclude other groups.

On July 5, of 1947, Governor Duff signed the veto of Senate Bill 814, which would have allowed these veterans' organizations to have licenses. I know of no finer argument against the present amendment than the Governor's Veto No. 25 of 1947. He states in it that the purpose of the Act of 1939, which I referred to a minute ago, was to limit the number of licenses for the retail sale of liquor to be issued by the Pennsylvania Liquor Control Board. He then goes on to quote the clause of the 1939 Act, and he further states as follows with regard to Senate Bill 816 of the 1947 Session.

"This bill would amend the act of June 24, 1939, by excepting 'veterans' clubs as herein provided from the quota provided by that Act"

and carries this exception into effect by providing further—then he quotes from the Act and he says further:

"The effect of this bill would be to provide that although the quota has been filled, a license might be issued to (1) any branch, post, camp or chapter of a veterans' organization, nationally organized and also recognized by the United States Government or any agency thereof; (2) any incorporated home association of such branch, post, camp, or chapter whose active and voting membership is the same as such branch, post, camp or chapter."

He said further:

"To this bill there are several objections: first, the bill would create a new class composed of veteran's clubs for the purpose of receiving a retail license to sell liquor."

The Governor then goes on to explain some of the history of the legislation relating to veterans in Pennsylvania, and the courts' decisions which have upheld this legislation. I will not burden you with this because I don't think it would add to the matter presently under consideration. He then said in relation to the various pieces of legislation which the Legislature had up to that time passed in favor of the veterans:

"These advantages have been bestowed by a grateful public upon war veterans in recognition of the training and experience gained by them from military service, and as a reward for their service and sacrifice in the defense of their country.

"The Courts, however,"

and I am still reading from the text of the veto message,

"have recognized a distinction between conferring a reward upon a veteran and granting an exception to him from the provisions of a statute enacted to carry out an important public policy or provide for the public welfare. Hence it has been held in a majority of the decisions in this country that legislation providing that a war veteran should receive a license or obtain a license to carry on a business without complying with the requirements imposed on other applicants for such a license, amounting to special or class legislation. This consideration carries even more weight where the license requirement is part of a police regulation, as distinguished from a revenue law."

The Governor then goes on to say that

"The act of June 24, 1939 is clearly an exercise of the police power in that it declares that no license shall be granted by the Pennsylvania Liquor Control Board for the retail sale of liquor in excess of the quota prescribed in the Act."

May I quote further from the veto message as follows:

"Legislation conferring privileges and preferences upon war veterans in recognition of their services has been sanctioned by a grateful public throughout the history of this Commonwealth, but should not conflict with police regulations or an important public policy of this Commonwealth."

The final quotation I desire to make is as follows:

"Making a separate class of veteran's organizations for the purpose of receiving licenses to sell liquor would, in our opinion, amount to special legislation and would be clearly unconstitutional. \*\*\*\*\*For these reasons the bill is not approved."

Mr. Speaker, may I add a few more words about my own feeling towards this legislation? I have always opposed quotas, not only for clubs but for other licensees. It is my own personal opinion that there should be no limitation except by competition, and that the enforcement agency should be adequate and large enough and emphatic enough to properly control the liquor trade in this state. That, however, is my own personal opinion.

For ten years I have seen this Legislature fail or refuse to make a decision as to whether clubs are in or out of the quota law. I begged this Legislature at the last session to be strong enough to make up its own mind what to do about it. I do not like to see the buck passed to the Superior Court any more than the gentleman from Dauphin County does. I do not think we ought to do it that way, but when you are doing it that way you have nothing left except to pass this bill as it is now drawn, and let the Superior Court of Pennsylvania decide this issue, and you may be sure it will decide it. The reason we have this confusion is because no appeal has been allowed to the Superior Court from the decisions of the Common Pleas courts of Pennsylvania in regard to this quota law, and as a result we have confusion, and we have a growing lack of respect for our courts' decisions. They can have licenses in one county and not in the next county, which does not make for respect for the law.

For the first time since 1939 we do have a large number of clubs, the dry groups, the Liquor Control Board and many other groups who oppose the passage by this House of Senate Bill 736. What you will accomplish if you put these amendments in the bill, in my opinion, will be to have this whole bill vetoed by the Governor. The same Governor who vetoed the bill in 1947 still holds the pen in his hands by which he can veto this one. I have heard nothing from the Governor which indicates to me that he thought he was wrong the first time, and I see nothing in these amendments which would make them any different from the bill as it was passed in 1947.

Finally I am opposed to this bill as it is now printed without the amendments. I would vote for these amendments because I know of no surer way to kill Senate Bill 736. People will argue that it is not fair to grant licenses to veterans' clubs and not to anybody else. I am not raising that point at all; I am saying to you that Senate Bill 736 is a good piece of legislation, which will finally bring this thing to a head, the Superior Court will bring it to a head by saying that all clubs are either in or out. It is time that we should decide. Don't mix it up any further and kill Senate Bill 736 by voting for these amendments.

Mr. HEATHERINGTON. Mr. Speaker, I rise to support the amendments to Senate Bill 736. I also want to state that I intend to vote against Senate Bill 736 unless the veterans' amendments are in it. The canteen bill that was introduced in the Senate, the Senate would not leave it out of Committee so that they could stand up and be counted. We are in a position tonight on these amendments that we are going to make every man be counted "yes" or "no". I don't care—I am not interested in what happened in 1939 or 1943; I am not interested in whether or not the Governor vetoed the previous bill. You and I can give him a chance to veto another one.

In this bill I think it gives certain groups a chance to go to the Superior Court. What happens if you go there

and they decide that clubs are in the quota Act? Veterans' organizations are doomed. So, I feel that by voting for the amendments we will put the veterans' organizations in Senate Bill 736, and then if the Superior Court decides that clubs are in the quota Act our veterans' organizations will be taken care of.

Mr. Speaker, I would like to have a slow roll call on the amendments to Senate Bill 736.

Mr. ELDER. Mr. Speaker, I desire to interrogate the gentleman from Berks, Mr. Readinger.

The SPEAKER. Will the gentleman from Berks permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. ELDER. Mr. Speaker, is the gentleman from Berks a veteran, Mr. Speaker?

Mr. READINGER. I am not, Mr. Speaker.

Mr. ELDER. I thank the gentleman,

Mr. Speaker, I want to state for the record that I am a member of the original Twenty-eighth Division which brought the state of Pennsylvania a lot of recognition and glory. I have all the respect in the world for members of the Second Twenty-eighth Division, and I want to go on record now that I am for the canteen bill.

Mr. STUART. Mr. Speaker, first of all, I want to say that I am a veteran of World War I and World War II. If any of you intend to vote against these amendments because you fear the soldiers' vote, let me say this to you, these amendments are being fostered, not by the rank and file of the veterans, but by the state headquarters, in opposition to certain veterans' organizations. I am sure that fifty percent of the veterans are violently opposed to their posts operating under club licenses. They are against this type of legislation because they consider, first, that it is rank class legislation, and they consider themselves, first of all, as American citizens, and then as veterans. Furthermore, if these amendments should pass, it would double the number of clubs. Most communities today have entirely too many retail liquor licenses. There are so many of them that they are interfering with retail business because in some towns there are so many clubs surrounding them. I think it is very dangerous legislation and should be defeated.

Mr. KOLANKIEWICZ. Mr. Speaker, I would like to inform the Members of the House that it is not the general headquarters of the State Department that is pushing this bill or these amendments. I say that this is a mandate of the American Legion Convention and Veterans of Foreign Wars' Convention held last August in the state of Pennsylvania. That is for the gentleman's information.

#### CONSTITUTIONAL POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I rise to a Constitutional point of order.

The SPEAKER. The gentleman from Cambria will state it.

Mr. ANDREWS. Mr. Speaker, the Constitutional point of order is that the amendments are not germane to the bill, and therefore are unconstitutional.

Second, that in view of the Governor's veto upon the same issue, the amendments are unconstitutional. The amendments are in contravention of Article III, Section 7 of the Constitution.

The SPEAKER. The gentleman from Cambria, Mr.

Andrews, raises the constitutional point of order, that the amendments to Section 5, offered by the gentleman from Lawrence, Mr. Brice, violate Article III, Section 7 of the Constitution of Pennsylvania.

The Speaker under Rule 4 of the House submits the question affecting the interpretation of the Constitution to the House for decision.

On the question,

Will the House sustain the Constitutional point of order.

Mr. ANDREWS. Mr. Speaker, the Constitution reads: "The General Assembly shall not pass any local or special laws."

I submit that under the terms of the amendments they are proposing a special law for a special class, and in support of that contention I cite the veto message of his Excellency, The Governor, which passed upon the constitutionality of the issues which are represented by the present amendments.

Mr. FRANK. Mr. Speaker, perhaps those of you who have had more legislative experience, who are interested in this bill, can present this point better than I.

On this question of constitutionality of the bill, it is rather difficult to pass upon, when a very short time ago I gave you what I thought were the highlights of the amendments, and whether they are constitutional or not, I feel that it is up to that branch of the Government which passes on the constitutionality of any law that we pass.

That is what was done at the last Session of the Legislature. I don't know that that same question came up. The thing that I want to get across here is this, you can argue the constitutionality and I will vote accordingly; let everybody do the same, using their own better judgment, but we are pleading for the preservation of the veteran's organizations. I don't mean the veteran's organizations that were founded in World War I; they will be protected. I mean the new posts, these new organizations that are coming along, and I am talking for those that represent over one million veterans who served in this last war. The only way we can do it is to pass this bill with the amendments. If it is unconstitutional then I say let the court decide it.

The SPEAKER. The Chair suggests that it is a mandate of the Constitution itself that this House shall pass on the constitutionality of legislation on a point of order raised under Article III, Section 7 of the Constitution.

Mr. STUART. Mr. Speaker, I must take issue with the gentleman from Dauphin. It seems to me that if the existence of veteran's organizations depends upon the operation of clubs in getting licenses, then I doubt that their existence is justified. It seems to me that the veteran's organizations have a much more noble purpose in caring for the veterans, their widows and orphans, and I think that is the thought that most veterans have in joining the organizations.

Mr. ELDER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Stuart.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. STUART. I shall, Mr. Speaker.

#### POINT OF ORDER

Mr. ANDREWS. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Cambria rise?

Mr. ANDREWS. Mr. Speaker, to request that the gentleman discuss the constitutionality of the amendments rather than the merits of the pending bill.

The SPEAKER. the point of order is well taken. The question before the House is on the Constitutional point of order. The gentleman must adhere to the question on the Constitutional point of order raised by the gentleman from Cambria, Mr. Andrews.

Mr. BRANDON. Mr. Speaker, I request the privilege of interrogating the gentleman from Berks, Mr. Readinger, on the constitutional point of order.

The SPEAKER. Will the gentleman from Berks permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. BRANDON. Mr. Speaker, does this state not at the present time exempt veterans organizations from the licensing features of the solicitations act?

Mr. READINGER. Mr. Speaker, I believe that some of the organizations are exempted.

Mr. BRANDON. Mr. Speaker, the veteran's organizations are included in that?

Mr. READINGER. Yes, Mr. Speaker, I think that the solicitation law of the Commonwealth exempts certain veteran's organizations now.

Mr. BRANDON. Mr. Speaker, isn't that solicitation law in the Commonwealth of Pennsylvania a police regulation? Is it not passed pursuant to the police powers?

Mr. READINGER. I believe it is, Mr. Speaker.

Mr. BRANDON. Mr. Speaker, would not the fact that this exempts them, in view of the decisions of the courts of this Commonwealth, be a conclusive determination that the Governor's veto message was wrong that the special exemption for veterans' organizations was unconstitutional?

Mr. READINGER. Mr. Speaker, I know of no court decision in which that question has ever been raised, whether or not such exemption relative to solicitation was constitutional or unconstitutional.

Mr. BRANDON. Mr. Speaker, is the gentleman acquainted with the Charitable Solicitations act that was passed?

Mr. READINGER. I am not, Mr. Speaker.

Mr. BRANDON. Mr. Speaker, for the information of the gentleman, the act has gone to the Supreme Court not once but many times, and in one decision in Pennsylvania the police powers have been declared constitutional.

Mr. Speaker, regardless of the merits of this matter, the question of whether this Legislature grants clubs the right to a license seems to me to be beyond dispute. The only authority cited here today is an ordinary source of constitutional authority, the Governor's veto message. The Constitution has been interpreted many times in the Courts. If the gentleman from Berks wishes to contend that this matter is unconstitutional, there are law books and Supreme Court decisions of the state on the subject. I would say this to you, if the Governor does believe this is not constitutional, I believe that the question of the constitutionality can be determined by the courts, who are after all the final arbiters. I do not suggest to the Legislature that it ignore the question of constitutionality on this matter because I think that each branch of the government should act in accordance with the Constitution, but I suggest to you today that there has been no

law cited, no citation of any authority that would suggest that this matter is constitutional. Therefore, on this matter that Mr. Andrews has asked us to decide, we should decide that this matter is constitutional.

Mr. READINGER. Mr. Speaker, I do not claim to be a constitutional authority. I do think that the Members of this House should give every consideration to the veto message of the Governor of this Commonwealth. After all, the Governor is usually advised by the Department of Justice, whose members are composed entirely of lawyers, and lawyers who are constantly studying the Constitution of Pennsylvania. I cannot believe for a moment that the Governor of Pennsylvania took any delight in vetoing Senate Bill 814 after the last session, because he likes veterans as much as anybody else. The gentleman from Allegheny did not bring any law books or any citations. Perhaps there have been court decisions upholding veterans' exemptions, but I do know that the Governor's veto message should not be taken lightly when the effect of it, when he vetoes this bill, is to kill a good piece of legislation.

Mr. Speaker, I have one more word in relation to the constitutionality. Mr. Brandon says that even though this might be unconstitutional, let the courts rule on it. If the gentleman could assure me that the courts will rule on it, I might agree. But what I am saying is that it will never get to the courts of Pennsylvania, it will stop at the Governor's action when he vetoes the bill; the courts will never get a chance to pass on any legislation that never comes out of the Governor's office.

Mr. ELDER. Mr. Speaker, I desire to interrogate the gentleman from Berks, Mr. Readinger.

The SPEAKER. Will the gentleman from Berks permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. ELDER. Mr. Speaker, does the gentleman from Berks know whether the Department of Justice has not made a mistake in their ruling? Does the gentleman refuse to answer?

Mr. READINGER. Mr. Speaker, does the gentleman want an answer to that question?

Mr. ELDER. Yes, I do, Mr. Speaker.

Mr. READINGER. Mr. Speaker, do I understand the gentleman is asking whether I know or not.

The SPEAKER. The gentleman is admonished to adhere to the constitutional point of order before the House.

Mr. ELDER. Mr. Speaker, this is on the question of constitutionality.

The SPEAKER. The gentleman is again admonished to adhere to the constitutional point of order before the House. The gentleman's question is not in order.

Mr. ELDER. All right, Mr. Speaker. After the point of constitutionality is ruled on, I would like to be recognized, Mr. Speaker.

The SPEAKER. The gentleman will be recognized after the constitutional point of order has been passed upon.

Mr. FRANK. Mr. Speaker, just one thing more and I will take my seat. We are talking about the Governor's veto; we are talking about what he did in 1947. We have here what we think are different amendments making a different bill out of it. I have not heard any thing from either the Attorney General's office nor from

any of my colleagues who are interested in this bill as to whether this bill is constitutional or not, and I submit to you, in the light of the fact that there are two different bills, I think we should go along and agree on these amendments.

Mr. ROSE. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Frank.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. FRANK. I shall, Mr. Speaker.

Mr. ROSE. Mr. Speaker, for my information and for the information of many of the Members of the House who want to ascertain how to vote intelligently on this, as we are all interested in veterans' groups, have you or any member of your organization ascertained from the Attorney General his views as to the constitutionality of this type of legislation?

Mr. FRANK. Mr. Speaker, I think I am safe in saying that my group has contacted the Attorney General's office and has not got an answer, one way or another.

Mr. ROSE. I thank the gentleman, Mr. Speaker.

The SPEAKER. Does the gentleman from Lycoming, Mr. Elder, want to be heard on the constitutional point of order before the House?

Mr. ELDER. No, Mr. Speaker.

#### QUESTION OF INFORMATION

Mr. BRETH. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Clearfield will state it.

Mr. BRETH. Mr. Speaker, I am afraid that quite a few of the Members do not understand what the effect of their vote is going to be right now. In other words, if they rise now, do they vote to kill the amendments? Is that the ultimate effect?

Mr. ANDREWS. That is right.

Mr. BRETH. Mr. Speaker, if you rise now, you kill the amendments, and they cannot be considered?

The SPEAKER. For the information of the Members those voting "aye" vote to sustain the Constitutional Point of Order. If a majority of the Members vote "aye" the Constitutional Point of Order will be sustained, and the amendments will fall.

On the question recurring,

Will the House sustain the constitutional point of order?

The SPEAKER declared the "ayes" appear to have it. Whereupon, a division was called, eighty-five Members voting in the affirmative and seventy-seven in the negative, the question was determined in the affirmative, the constitutional point of order was sustained, and the amendments fall.

The SPEAKER. The Chair will now lay before the House the amendment to Section five offered by the gentleman from McKean, Mr. Johnson.

Mr. JOHNSON offered the following amendments:

Amend the Bill, page 12, by inserting after line 10 the following: "Section 5. The provisions of this act shall become effective immediately upon final enactment."

On the question,

Will the House agree to the amendment?

Mr. JOHNSON. Mr. Speaker, this amendment is merely a corrective amendment inserted properly in Senate Bill

735, and by error was omitted from Senate Bill 736, and I ask the House to support the amendment.

It was agreed to.

The section as amended was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 796, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by fixing the compensation and mileage of county auditors in such counties

The first section was read.

On the question,

Will the House agree to the section?

Mr. COLE offered the following amendments:

Amend Sec. 1, page 1, lines 1 and 2, by striking out the words "Section one of the act approved the twenty-fifth day of" in line 1, and all of line 2.

Amend Sec. 1, page 2, lines 1 to 3, both inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 1), page 2, lines 4 to 11, both inclusive, by striking out all of said lines, and inserting in lieu thereof: "The county auditors in counties of the sixth and seventh class shall receive ten dollars (\$10) for each day necessarily employed in the discharge of their duties together with ten cents per mile circular from and to their homes once each and every day so employed."

On the question,

Will the House agree to the amendments?

Mr. COLE. Mr. Speaker, Senate Bill 796 pertains to the salary of county auditors in counties of the sixth class, and the only thing these amendments do is to include the seventh class counties in the same category.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. COLE offered the following amendment:

Amend Sec. 2, page 2, by inserting after line 15, the following: "The act approved the twelfth day of May, one thousand eight hundred eighty-seven (Pamphlet Laws 95), entitled "An act regulating the compensation of county auditors, within this Commonwealth," is hereby repealed insofar as it is inconsistent with the provisions of this act."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. COLE offered the following amendments:

Amend Title, page 1, lines 1 to 4 of title, both inclusive, by striking out all of lines 1 to 3, inclusive and the words "officers of counties of the sixth class" by fixing in line 4, and inserting in lieu thereof: "Fixing."

Amend Title, page 1, fifth line of Title, by striking out the word "such."

Amend Title, page 1, fifth line of Title, by inserting after the word "counties" the following: "of the sixth and seventh class."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

#### QUESTION OF INFORMATION

Mr. SCHMIDT. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. SCHMIDT. Mr. Speaker, would the Speaker advise whether or not Senate Bill No. 941 on page 44 has been considered today?

The SPEAKER. The Chair would advise the gentleman that Senate Bill 941 on page 44 has not been considered today.

Mr. SCHMIDT. Mr. Speaker, is it in order to have the bill called up at this time?

The SPEAKER. The Chair will permit the gentleman to do so.

Mr. SCHMIDT. Mr. Speaker, I call up Senate Bill No. 941, Printer's No. 616, on page 44 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 941, entitled:

An Act to amend section six hundred ninety-nine point four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled: "An act to consolidate amend and revise the penal laws of the Commonwealth" by authorizing the production and performance of civic opera between certain hours on Sundays

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. RAY L. RILEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Law and Order for further study.

On the question,

Will the House agree to the motion?

Mr. SCHMIDT. Mr. Speaker, on the motion of the gentleman to recommit, I rise in opposition to it. This will affect the citizens of the city of Pittsburgh who pride themselves on the fact that we have a civic opera and have had the same for a number of years. We feel that we in Pittsburgh, and likewise those throughout the state who may be fortunate enough to have such an organization, should be permitted on Sunday, if you please, to enjoy that type of entertainment.

We all here know that if this bill is to be recommitted to a Committee we shall not have an opportunity to enjoy a clean, healthy Sabbath, with the type of entertainment a civic opera affords us. For that reason I ask each and every Member of this House to vote down this motion in order to have a clean type of entertainment that will be enlightening and enjoyable.

The SPEAKER. The Chair admonishes the gentleman to confine himself to the motion to recommit?

Mr. GUARNIERI. Mr. Speaker, I desire to interrogate the gentleman from Lycoming, Mr. Riley.

The SPEAKER. Will the gentleman from Lycoming permit himself to be interrogated?

Mr. RILEY. I shall, Mr. Speaker.

Mr. GUARNIERI. Mr. Speaker, why does the gentleman from Lycoming want this bill recommitted? I would like to know why.

Mr. RILEY. Mr. Speaker, I would like to reply to the gentleman by saying that this bill came out of Committee yesterday through a misunderstanding—perhaps that is the word. At the solicitation of several friends from the Senate and other spots on the Hill, we held one of those quickie meetings for consideration of the bill. We had eleven Members there. I am not going to divulge any Committee information, but we had eleven members there, which just constituted a quorum, and I was told that the Chairman was not permitted to vote except in the case of a tie. Had that not been true, the bill would no have come out.

Mr. GUARNIERI. I think, Mr. Speaker, that is a small reason given by the gentleman in regard to the motion to recommit. This is a very short, very short bill, consisting of two pages, and a mere amendment adding to the existing law which would permit operas on the sabbath day, a mere amendment consisting of about four or five lines.

I believe that each and every Member of the House, can read this short amendment, these few short lines, and since the bill is now out on the floor, we should certainly pass the bill. I say let us vote upon it now. It is not a very long and complicated bill; it is a plain bill; it is in very plain and simple verbiage. We now have it before the House and let us act upon it. I do not believe that it is proper, Mr. Speaker, that we begin to impeach the activities of a Committee on bills that come out. Once a bill is out we should vote on it.

Mr. HOMER S. BROWN. Mr. Speaker, on the motion to recommit, I wonder if our good friend, the gentleman who made the motion, would be kind enough to withdraw the motion, since I believe it is a bill which we are interested in in the city of Pittsburgh. Would the gentleman be kind enough to be considerate of Pittsburgh and grant them that favor?

Mr. RILEY. Mr. Speaker, in reply to the gentleman's request I would state that there is probably nothing which Mr. Brown could ask of me that I would not give serious consideration to, because I have great admiration for the gentleman. I hesitate to withdraw my motion because of a great many protests which I have received only recently against this particular bill.

If I withdraw my motion I make those people feel unfriendly toward me. If I do not accede to Mr. Brown's request, you know how he is going to feel. What the heck am I going to do?

On the question recurring,

Will the House agree to the motion?

The Speaker declared the "ayes" appear to have it.

Whereupon, a division was called for, eighty-eight Members voting in the affirmative, and eighty-six in the negative, the question was determined in the affirmative and the motion was agreed to.

Mr. GURANIERI. Mr. Speaker, I would like to make a general statement on this bill.

The SPEAKER. The gentleman from Philadelphia asks unanimous consent of the House to address the House. Does the Chair hear objection? The Chair hears objection and consent is not granted.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 983, entitled:

An Act to amend the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1198) entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method regulating such mining and providing penalties" by further regulating the mining of bituminous coal by the open pit mining method

The first section was read.

On the question,

Will the House agree to the section?

Mr. HEWITT offered the following amendments:

Amend Sec. 1, (Sec. 5), page 3, line 19, by striking out the figure "5" and inserting in lieu thereof "4".

Amend Sec. 1, (Sec. 5), page 4, line 5, by striking out the bracket before and after the word "land."

Amend Sec. 1, (Sec. 5), page 4, line 5, by striking out the word "coal."

Amend Sec. 1, (Sec. 5), page 4, line 5, by striking out the bracket before the word "will" and after the word "affect."

Amend Sec. 1, (Sec. 5), page 4, line 5, by striking out the words "expects to mine."

Amend Sec. 1, (Sec. 5), page 4, line 11, by striking out the word "three" and inserting in lieu thereof "[two] three."

Amend Sec. 1, (Sec. 5), page 4, line 12, by striking out the figures "(\$300.00)" and inserting in lieu thereof: "[( \$200.00)] (\$300.00)".

Amend Sec. 1, (Sec. 5), page 4, line 13, by inserting a bracket before and after the word "coal."

Amend Sec. 1, (Sec. 5), page 4, line 13, by inserting after the word "coal" the following: "land."

Amend Sec. 1, (Sec. 5), page 4, line 13, by striking out the word "he."

Amend Sec. 1, (Sec. 5), page 4, line 13, by striking out the bracket before the word "be."

Amend Sec. 1, (Sec. 5), page 4, line 13, by inserting a bracket before the word "stripped."

Amend Sec. 1, (Sec. 5), page 4, line 13, by striking out the word "mine" and inserting in lieu thereof: "affected."

Amend Sec. 1, (Sec. 5), page 4, line 15, by striking out the word "three" and inserting in lieu thereof: "[two] three."

Amend Sec. 1, (Sec. 5), page 4, line 15, by striking out the figures "(\$3000.00)" and inserting in lieu thereof: "[( \$2000.00)] (\$3000.00)".

Amend Sec. 1, (Sec. 5), page 4, lines 17 and 18 by striking out the words "from which coal has been removed during the respective registration year."

Amend Sec. 1, (Sec. 5), page 6, line 11, by striking out the bracket before the word "and" and after the word "thereof."

Amend Sec. 1, (Sec. 5), page 6, line 13, by striking out the words "coal mined" and inserting in lieu thereof: "land affected."

Amend Sec. 1, (Sec. 6), page 7, line 12, by striking out the bracket before the word "land" and after the word "affected."

Amend Sec. 1, (Sec. 6), page 7, line 13, by striking out the words "coal mined."

Amend Sec. 1, (Sec. 6), page 8, line 1, by striking out the bracket before the word "land" and after the word "affected."

Amend Sec. 1, (Sec. 6), page 8, line 1, by striking out the words "coal mined."

Amend Sec. 1, (Sec. 7), page 8, line 10, by striking out the bracket before the word "land" and after the word "affected."

Amend Sec. 1, (Sec. 7), page 8, line 10, by striking out the words "coal mined."

Amend Sec. 1, (Sec. 7), page 8, lines 11 to 14 by striking out the word "and" in line 11, and all of lines 12, 13 and 14.

Amend Sec. 1, (Sec. 8), page 8, line 16, by inserting a bracket before and after the word "areas."

Amend Sec. 1, (Sec. 8), page 8, line 16 by inserting after the word "area" the following: "land."

Amend Sec. 1, (Sec. 8), page 8, line 16, by striking out the bracket before and after the word "affected."

Amend Sec. 1, (Sec. 8), page 8, lines 16 and 17, by striking out the words "of coal mined."

Amend Sec. 1, (Sec. 8), page 8, line 18, by striking out the word "three" and inserting in lieu thereof: "[two] three."

Amend Sec. 1, (Sec. 8), page 8, line 19, by striking out the figure "(\$300.00)" and inserting in lieu thereof: "[( \$200.00)] (\$300.00)".

Amend Sec. 1, (Sec. 8), page 8, line 19, by inserting a bracket before and after the word "area."

Amend Sec. 1, (Sec. 8), page 8, line 19, by inserting after the word "area" the following: "land."

Amend Sec. 1, (Sec. 8), page 9, line 2, by inserting a bracket before and after the word "area."

Amend Sec. 1, (Sec. 8), page 9, line 2, by inserting after the word "area" the following: "land."

Amend Sec. 1, (Sec. 8), page 9, line 2, by striking out the bracket before the word "actually" and after the word "affected."

Amend Sec. 1, (Sec. 8), page 9, line 3, by striking out the words "of coal mined."

Amend Sec. 1, (Sec. 8), page 9, line 7, by inserting after the word "aforesaid" the following: "Provided that no bond or collateral shall be released below three thousand dollars (\$3000.00) in the absence of complete compliance with the requirements of this act."

Amend Sec. 1, (Sec. 9), page 9, line 11, by striking out the word "register" and inserting in lieu thereof: "reregister."

Amend Sec. 1, (Sec. 9), page 9, line 13, by inserting a bracket before and after the word "certificate."

Amend Sec. 1, (Sec. 9), page 9, line 13, by inserting after the word "certificate" the following: "registration."

Amend Sec. 1, (Sec. 9), page 9, line 14 by inserting after the word "Mines" the following: "and the surety if any."

Amend Sec. 1, (Sec. 14), page 15, line 5, by striking out the bracket before the word "upon" and after the word "to."

Amend Sec. 1, (Sec. 14), page 15, line 5 by striking out the word "by."

Amend Sec. 1, (Sec. 14), page 15, line 5 by striking out the bracket before the word "as."

Amend Sec. 1, (Sec. 14), page 15, line 6, by striking out the bracket after the word "aforesaid."

Amend Sec. 1, (Sec. 14), page 15, line 6, by striking out the words "de novo."

Amend Sec. 1, (Sec. 14), page 15, line 6, by striking out the bracket before the word "No" and after the word "testimony."

Amend Sec. 1, (Sec. 14), page 15, line 6, by striking out the word "Testimony."

Amend Sec. 1, (Sec. 14), page 15, line 8, by striking out the bracket before the word "and."

Amend Sec. 1, (Sec. 14), page 15, line 9, by striking out the bracket after the word "the" where it appears the first time.

Amend Sec. 1, (Sec. 14), page 15, line 9, by striking out the word "The."

Amend Sec. 1, (Sec. 15), page 16, line 6, by striking out the bracket before the word "shall" and after the word "action."

Amend Sec. 1, (Sec. 18), page 16, line 17, by striking out the bracket before the word "and."

Amend Sec. 1, (Sec. 18), page 16, line 17, by inserting after the word "and" the following: "collateral."

Amend Sec. 1, (Sec. 18), page 16, line 17, by inserting a bracket before the word "cash."

Amend Sec. 1, (Sec. 18), page 17, line 3, by inserting a bracket after the word "Waters."

Amend Sec. 1, (Sec. 18), page 17, line 3, by striking out the bracket after the word "planting."

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, I want to find out whether the custodian of the amendments has a copy of them.

The SPEAKER. Will the gentleman from Indiana, Mr. Hewitt, supply the Minority Leader with a copy of the amendments?

Mr. HEWITT. Mr. Speaker, I furnished the gentleman with a copy of the amendments this morning.

The SPEAKER. Does the gentleman from Cambria recall being furnished with a copy of the amendments?

Mr. ANDREWS. I do, Mr. Speaker.

Mr. WESTRICK. Mr. Speaker, I desire to interrogate the gentleman from Indiana, Mr. Hewitt.

The SPEAKER. Will the gentleman from Indiana permit himself to be interrogated?

Mr. HEWITT. I shall, Mr. Speaker.

Mr. WESTRICK. Mr. Speaker, will the gentleman from Indiana please explain the amendments?

Mr. HEWITT. Mr. Speaker, in answer to the gentleman from Cambria, Mr. Westrick, I wish to say that I don't know exactly how to explain all these amendments.

It was something that was agreed upon by all parties interested in the Department of Mines, where we added one hundred dollars to the bond on stripping. There is nothing in the amendments of an offensive nature whatsoever.

Mr. ANDREWS. Mr. Speaker, I have consulted my authority upon mining, my friend from Cambria, Mr. Evans, who has looked over these amendments, and he says he finds nothing objectionable in them.

Mr. FLEMING. Mr. Speaker, I desire to interrogate the gentleman from Indiana, Mr. Hewitt.

The SPEAKER. Will the gentleman from Indiana permit himself to be interrogated?

Mr. HEWITT. I shall, Mr. Speaker.

Mr. FLEMING. Mr. Speaker, I do not have a copy of the amendments. I would like to know if the amendments reduce the amount of the bond.

Mr. HEWITT. Mr. Speaker, it increases the amount of the bond by one hundred dollars.

Mr. FLEMING. Mr. Speaker, that is under the amendments which the gentleman is offering now?

Mr. HEWITT. Mr. Speaker, the original bill called for three hundred dollars; that was not changed.

Mr. FLEMING. In other words, the gentleman's amendments that he is offering now do not change—

Mr. HEWITT. No, Mr. Speaker, they do not change the amount of the bond. There is nothing wrong with the amendments at all. I will give the gentleman a copy.

Mr. FLEMING. I thank the gentleman, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

They were agreed to

The second section was read.

On the question,

Will the House agree to the section?

Mr. HEWITT offered the following amendments:

Amend Sec. 2, page 17, line 5, by striking out the word "a" and inserting in lieu thereof: "two."

Amend Sec. 2, page 17, line 5, by striking out the word "section" and inserting the following: "sections."

Amend Sec. 2 (Sec. 18.1), page 17, lines 13 and 14, by striking out "area mined" and inserting in lieu thereof: "land affected."

Amend Sec. 2, page 17, by inserting between lines 14 and 15 the following: "Section 18.2. In addition to any other remedy at law or in equity or under this act the Attorney General may apply to the Court of Common Pleas of Dauphin County for relief by injunction, or to the court of common pleas of the county wherein the operation is situated to enforce compliance with or restrain violations of any provisions of this act or any rule, regulation or order made pursuant thereto. The said Court of Common Pleas of Dauphin County is hereby vested with jurisdiction to hear and determine all such actions by the Attorney General, regardless of where they may arise in the Commonwealth."

The remedy prescribed in this section shall be deemed concurrent or contemporaneous with any other remedy and the existence or exercise of any one remedy shall not prevent the exercise of any other remedy."

They were agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 984, entitled:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft and prescribing penalties.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McMILLEN offered the following amendments:

Amend Section 1, page 1, line 1, by inserting after the word "Whoever" the following: "hereafter."

Amend Sec. 1, page 2, line 2, by inserting after the word "field" the following: "commercially."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 982, entitled:

An Act to amend sections five hundred two five hundred eight (d) and (h) two thousand four hundred two (h) two thousand four hundred eight (a) and (c) and two thousand four hundred eleven (b) (c) and (d) of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive

and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by providing for the reimbursement of funds sent by one department on behalf of another department enlarging powers of Department of Property and Supplies as to buildings on the capitol grounds as to services to state authorities as to appointment of architects and engineers as to damages to Commonwealth property and imposing certain duties on superintendents of state institutions and presidents of state teachers colleges and others in charge of Commonwealth property requiring departments to prepare project analysis of anticipated construction and eliminating requirement of approval of appointment of architects and engineers by the department having construction work done

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 985, entitled:

An Act to authorize political subdivisions to acquire by purchase condemnation or in any other manner pillars of anthracite and bituminous coal mines or other property necessary to the support of the surface above such mines or structures thereon in order to prevent subsidence thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 978, entitled:

An Act to amend the title and the act approved the twentieth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment of him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the fixing of bail

The first, second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. GUARNIERI offered the following amendments:

Amend Sec. 4 (Sec. 10), page 6, line 17, by inserting after the figure "10" the following "In addition to the divisional police courts provided for in section eleven amended herein."

Amend Sec. 4 (Sec. 10), page 6, line 17, by striking out the bracket before the word "central."

Amend Sec. 4 (Sec. 10), page 6, line 17, by inserting after the word "central" the following: "divisional."

Amend Sec. 4 (Sec. 10), page 6, line 17, by striking out the brackets after the word "court."

Amend Sec. 4 (Sec. 10), page 6, line 18, by striking out the words "magistrates' court."

Amend Sec. 4 (Sec. 10), page 7, line 5, by inserting a bracket before the word "Provided."

Amend Sec. 4 (Sec. 10), page 7, line 8, by inserting a bracket after the word "months" and inserting immediately thereafter "in the manner of rotation as provided for in section eleven hereof."

Amend Sec. 4 (Sec. 10), page 7, line 12, by inserting after the word "Central" the following: "Divisional."

On the question,

Will the House agree to the amendments?

The SPEAKER. Has the gentleman from Philadelphia supplied the Majority and Minority Leaders with a copy of the amendments?

Mr. HOMER S. BROWN. Mr. Speaker, we have no copies of the amendments under discussion.

Mr. HOMER S. BROWN. Mr. Speaker, will you kindly pass this bill over so that the majority can examine the amendments? I regret that the gentleman did not give a copy to the Minority Leader so that we could transfer a copy to the Majority Leader.

The SPEAKER. Does the gentleman object to withholding consideration of this bill temporarily until the amendments can be examined by the minority?

Mr. GUARNIERI. No, Mr. Speaker.

Mr. HOMER S. BROWN. Mr. Speaker, at the convenience of the Chair, we can now proceed with Senate Bill No. 978 on Page 48. The minority is informed as to the amendments.

Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Tahl.

Mr. TAHL. Mr. Speaker, if Mr. Guarnieri, the gentleman from Philadelphia, wants to offer the amendments, I have a copy of them.

The SPEAKER. Has the gentleman from Philadelphia, Mr. Tahl, examined the amendments?

Mr. TAHL. Mr. Speaker, I have.

Mr. GUARNIERI. Mr. Speaker, Senate Bill 978, the bill to which I will offer the amendments, provides certain amendments to the Magistrates' Act of 1937.

Specifically, the amendments which I am offering will serve the purpose of placing the central police court in City Hall, Philadelphia, as well as the divisional police courts, all under a like and uniform system of rotation. Under the provisions of Senate Bill 978 it is provided that it place in the Mayor's hands, who has heretofore appointed the magistrates to sit in the several police courts the power to appoint such magistrates as under Bill 978 shall be approved by the Chief Magistrate of the Board of Magistrates in Philadelphia.

Senate Bill 978 also states that these magistrates shall be assigned by the Chief Magistrate to sit in the central police court, hereafter known as the Magistrate's Court in City Hall, for a period of one month each. It further goes on to state: "Provided however, that the same magistrates shall not be assigned for consecutive months nor more than once every twelve months." You will note that as to the magistrate who will sit in his court in City Hall, which shall be known as the central police court,

there is a provision in Senate Bill 978 for rotation of the magistrates appointed by the Chief Magistrate only for a period of one year. The result of that is this, we have twenty-eight magistrates: the Chief Magistrate under this bill, Senate Bill 978, could elect and would elect only certain magistrates to sit in central police court in Philadelphia. In other words, he could choose only twelve out of twenty-eight to sit in any one year for a period of one month apiece, and the same twelve could sit in the following year. As the bill now stands, it would mean that any sixteen of the twenty-eight magistrates could be excluded entirely from sitting in the most important central police court. The purpose of my amendments is to make it mandatory that all magistrates shall be rotated in turn to sit in the central police court, hereby insuring that there shall be no favoritism in the appointment of magistrates or in that most important court, thereby insuring against favoritism.

As I was stating, the amendments would serve for a system of complete rotation in turn for each and every magistrate of the twenty-eight magistrates who form the board of magistrates, sitting in turn one month at a time in the central police court. Now, under the act of 1937 it was provided that as to the divisional police courts, to which magistrates are assigned to sit in the fourteen divisional police courts, there is a certain system of accurate rotation. The act of 1937 reads: "No magistrate shall be assigned more than one month in the same divisional police court. Every magistrate shall be assigned to each divisional police court in turn."

It is the intention of this amendment that there shall be established a system of rotation, whereby the same magistrates shall not be repeatedly assigned to the same police station or the divisional police courts. The judges of the Courts of Common Pleas of Philadelphia County are hereby given authority to enforce this provision.

The latter provision of the Act of 1937 which remains the same and is not changed in Senate Bill 978, was meant to insure a complete system of rotation of each magistrate in the ten to fourteen divisional police courts. Although that language is very clear in the Act of 1937, it has been a sad reflection that that part of the Act of 1937 which so specifically and in no uncertain terms declares that there shall be an absolute system of rotation in the divisional police courts, is not adhered to in Philadelphia. It is a sad commentary but it is true, and especially the members of the minority party, the Democratic party in Philadelphia, have been denied time and time again rightful rotation under the Act of 1937 in sitting in divisional police courts.

We know very well as a matter of common knowledge that the magisterial system has been used at times for the purpose of serving simply one political organization in Philadelphia, the Republican organization. It should be that the magisterial system and magisterial courts, being constitutional courts, should serve no political organization but they should serve the ends of justice under the law.

It is the purpose of the amendments that as well in the central police courts there shall be a complete system of rotation, so that each and every magistrate of the twenty-eight magistrates can sit more effectively in the central police court. The central police court in that respect would be part and parcel of a complete system of

divisional police courts. I see no reason why there should be any objection to having the system of rotation also apply to the central police courts. The only objection may be out of political consideration by the Republican organization because heretofore the central police station which is the central police court in the City Hall in Philadelphia has been used notoriously as a weapon for the political organization.

Further we have noticed and it is a fact that despite the provisions of the Magistrates Act of 1937, members of the minor judiciary or magistrate's courts in Philadelphia of the Democratic party, Democratic magistrates, have not been appointed or assigned to sit in the divisional police stations in the month of October or November, that is a fact, Mr. Speaker. Democratic magistrates have been appointed or assigned to sit in October or November in the divisional police courts. Is that not an extraordinary fact, Mr. Speaker? It leads to but one conclusion, that the magisterial system today has been used by the Republican organization as a political football, and I say there should be no objection to making the rotation system applicable equally to the divisional police courts and the central police court under this act, and I therefore am offering these amendments.

Mr. TAHL. Mr. Speaker, I rise to oppose these amendments. I was against these amendments when the Attorney General's office investigated the magisterial system in Philadelphia. The Attorney's General office drew up this bill and this bill was introduced by Senator Meade with the entire support of the Republican party in Philadelphia. This bill which has been prepared by the Attorney General's office, is in the interest of the administration of justice in Philadelphia, and any change would weaken the provisions of the act which we are trying to strengthen. For that reason I ask the Members to vote the amendments down.

Mr. ROSE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Tahl.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. TAHL. I shall, Mr. Speaker.

Mr. ROSE. Mr. Speaker, did I understand the gentleman to state when he rose to oppose these amendments that were offered that this bill had been prepared by the Attorney General's office in the light of disclosures of graft and corruption that had been disclosed in Philadelphia?

Mr. TAHL. Mr. Speaker, it is not true what the gentleman said. The Attorney General's office discovered certain defects in the present Act. While it is a good Act yet they felt it could be strengthened in some respects and this bill is a result of that investigation.

Mr. ROSE. Mr. Speaker, does the gentleman from Philadelphia feel that the bill would be strengthened to such an extent that the vast abuses that were pointed out to the citizens of Philadelphia as a result of the Attorney General's investigation, would be eliminated?

Mr. TAHL. Mr. Speaker, this would improve the original magistrates' Act.

Mr. ROSE. Mr. Speaker, I accept the explanation of the learned Judge—I mean the learned gentleman from Philadelphia.

Mr. Speaker, I now yield to the gentleman from Philadelphia, Mr. Guarneri.

Mr GUARNIERI. Mr. Speaker, I agree with the gentleman from Philadelphia, Mr. Tahl, in this respect, that this act strengthens the power of the Attorney General to a certain extent, in regard to remedying certain abuses which have existed in the city of Philadelphia for quite some time.

There are many meritorious provisions in this bill. I want it understood I am not opposing those sections of the bill which tend to police the proper conduct of magistrates. However, the amendments I offered are just in fairness to provide rotation in the city hall as well as the divisional police courts. That was the only intention. I was not touching the other provisions of the Act which I think are excellent.

My remarks are not to be interpreted in any way as being criticism of the Chief Magistrate of Philadelphia, whom I admire and in whom I have great faith. However we do not have a government of men but a government of law, and we should only have regulations in rotation in the central police court to protect ourselves against men who may not be of the type and character and honesty such as our present Chief Magistrate of Philadelphia is, whom we all admire.

On the question recurring,  
Will the House agree to the amendments?  
The yeas and nays were required by Mr. GUARNIERI and Mr. AMARANDO and were as follows:

YEAS—88

Amarando,	Heatherington,	Munley.	Sarraf.
Andrews,	Hersch,	Musto,	Scanlon,
Bane,	Hoggard,	Nagel,	Schmidt,
Beaver,	Hunter,	Needham,	Schuster,
Botes,	Jenkins,	Nixon,	Seyler,
Brandon,	Jim,	Olsen,	Smith, W. B.,
Breth,	Jones, G. E.,	Pentrack,	Snider,
Bucchin,	Jones, J. M.,	Peta,	Stank,
Cole,	Kamyk,	Petrosky,	Sternberg,
Conway,	Kirley,	Pettigrew,	Swope,
Dougherty,	Kolankiewicz,	Pfaff,	Taylor,
Duffy,	Kondrath,	Polen,	Varallo,
Evans,	Lederer,	Posta,	Verona,
Filo,	Leonard,	Powers,	Wargo,
Floyd,	Limper,	Price, R. A.,	Weiss,
Gaffney,	Lovett,	Readinger,	Welsh,
Glembocki,	McGee,	Reese,	Westrick,
Good,	McNally,	Reldenbach,	Wheeler,
Guarnieri,	Mihm,	Reynolds,	Williams,
Hagerty,	Mills,	Rose,	Worley,
Hamilton,	Monroe,	Rosen,	Yester,
Harris,	Moran,	Rovanssek,	Yetzer,

NAYS—112

Altshuler,	Flack,	Kohl,	Robbins,
Barkdoll,	Fleming,	Kratz,	Robertson,
Baumunk,	Fox,	Kurtz,	Royer,
Bednarek,	Frank,	Lee,	Sax,
Blair,	Frost,	Lelsey,	Scott,
Bloom,	Gallagher,	Loftus,	Shoemaker,
Bomberger,	George,	Madigan,	Smith, C. C.,
Bower,	Gibson,	McCormack,	Spencer,
Brelschi,	Goodling,	McCullough,	Stimmel,
Brice,	Graybill,	McKinney,	Stuart,
Brunner,	Green,	McMillen,	Tahl,
Cadwalader,	Greenwood,	Mikula,	Thompson,
Clapper,	Greer,	Miller,	Tompkins,
Clendening,	Guthrie,	Milliken,	Toomey,
Coleman,	Hall,	Mintess,	Varnier,
Cooper,	Haudenschild,	Moore, C. E.,	Wachhaus,
Costa,	Helm,	Moore, H. A.,	Wagner,
Dalrymple,	Herman,	Murray,	Waterhouse,
DeLong,	Hewitt,	Najaka,	Watkins,
Dennison,	Hocker,	Neff,	Weidner,
Depuy,	Hoffman,	O'Dare,	Wescott,
Driscoll,	Jennings,	O'Donnell,	Wood,
Dye,	Johnson,	Orban,	Yaffe,
Elder,	Jump,	Price, H. W., Jr.,	Yeakel,

Erb,	Keller,	Propert,	Young,
Ewing,	Kemp,	Reagan,	Ziegler,
Felton,	Kent,	Relly, J. M.,	Sorg,
Firmstone,	Kline,	Riley, R. L.,	Speaker

NOT VOTING—8

Boorse,	Brown, W. E.,	Ferster,	Krise,
Brown, H. S.,	Cochran,	Harney,	Penglase,
			Sollenberger,

So the question was determined in the negative and the amendments were not agreed to.

The SPEAKER. Will the gentleman withdraw the remaining amendments?

Mr. GUARNIERI. Yes, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the section?

Mr. TAHL offered the following amendments:

Amend Sec. 4 (Sec. 10), page 7, line 8, by striking out the brackets before and after the word "six."

Amend Sec. 4 (Sec. 10), page 7, line 8, by striking out the word "twelve."

On the question,

Will the House agree to the amendment?

Mr. GUARNIERI. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Tahl.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. TAHL. I shall, Mr. Speaker.

Mr. GUARNIERI. Mr. Speaker, will the gentleman from Philadelphia state the purpose of his amendments?

Mr. TAHL. Mr. Speaker, under the provisions of this bill, any change in decision of any magistrate must be consented to by the District Attorney. However, in cases which involve such infractions of the law as assault and battery, I believe under the Act of 1929, where there can be a private prosecutor, in most cases the magistrate may change his decision if the private prosecutor agrees to it.

Mr. GUARNIERI. Mr. Speaker, I believe the gentleman said that this bill, Seante Bill 978, was given great study by the Attorney General's office.

Mr. TAHL. Yes, Mr. Speaker; it was prepared by the Attorney General's office.

Mr. GUARNIERI. Mr. Speaker, am I correct in inferring that there is a provision which requires that there shall be no change in a decision by a magistrate except with the approval of the District Attorney or his assistant, and that this provision was also approved by the Attorney General?

Mr. TAHL. Mr. Speaker, in answer to the gentleman from Philadelphia, I would say that I discussed the matter with the Deputy Attorney General and he thought that this provision was all right.

Mr. GUARNIERI. Mr. Speaker, was that with Mr. Chidsey, the Attorney General?

Mr. TAHL. Mr. Cummings, Deputy Attorney General.

Mr. GUARNIERI. Mr. Cummings of the Attorney General's office, Mr. Speaker?

Mr. TAHL. Mr. Speaker, I told you it was Mr. Cummings, the Philadelphia representative of the Attorney General's office.

Mr. GUARNIERI. Mr. Speaker, is it not true that this Section 14 of Senate Bill 978 tends to take care of that situation in Philadelphia in the Magistrate's Courts, that

is, that practice whereby decisions were changed by magistrates unlawfully? This section was intended to police the activities of the magistrates of Philadelphia by requiring that there shall be no change in the disposition of any criminal case except with the approval of the District Attorney or his assistant.

Mr. TAHL. Mr. Speaker, this provision has nothing to do with police cases; this has only to do with private prosecutors under the Act of 1929, where a magistrate has the right to discharge defendants where the prosecutor agrees to it.

Mr. GUARNIERI. Mr. Speaker, this is 1949. Is there anything at this time which protects us from a situation in Philadelphia which cries for reform? This is 1949.

Mr. TAHL. Mr. Speaker, I take it that where a wife arrests a husband and then changes her mind and wants to drop the case, that is what this amounts to.

Mr. GUARNIERI. Mr. Speaker, it is immaterial to me under my way of thinking, what the Act of 1929 provides for. This is 1949. In the interval of about twenty years there has been a combination of circumstances in Philadelphia in the magisterial system which has revealed a situation in the two O'Malley trials of national fame, shall I say, which should furnish us authority to pass this legislation, to curtail some of the practices which have been in existence in the functioning of the magisterial courts. Therefore, the Attorney General's office for good reason prepared this bill in its complete form, and for that reason I ask you to vote down these amendments.

Mr. ANDREWS. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Cambria arise?

Mr. ANDREWS. Mr. Speaker, I was arising to move the previous question, whatever the previous question was, but since the gentleman has concluded, and the gentleman from Philadelphia, Mr. Rose, has something to say, I will not make the motion.

Mr. ROSE. Mr. Speaker, with respect to the amendment offered by the gentleman from Philadelphia, Mr. Tahl, wherein individuals who have instituted proceedings, sworn out a complaint and obtained a warrant in these minor cases, and they are desirous of withdrawing such complaint without the necessity of procuring consent from the district attorney's office, I see no objection to it. I think it is needed. I am aware of the fact that the Attorney General's office has prepared this measure and these amendments and I have no objection to this particular amendment, and I ask the Members to vote for the amendment.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

The section as amended was agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. TAHL offered the following amendment:

Amend Sec. 5 (Sec. 11), page 10, by inserting between lines 18 and 19 the following: "The chief magistrate shall have the duty and power to appoint and assign magistrates to serve as committing magistrates in such other police stations of the city of Philadelphia where magistrates are authorized or required to serve."

It was agreed to.

The section was agreed to as amended.

The sixth to thirteenth sections inclusive were separately read and agreed to.

The fourteenth section was read.

On the question,

Will the House agree to the section?

Mr. TAHL offered the following amendment:

Amend Sec. 14 (Sec. 43), page 18, line 18 by inserting after the word "and]" the following: "in the specific cases provided by law where the party complaining is authorized to acknowledge receiving satisfaction and have the defendant discharged, or in all other cases."

On the question,

Will the House agree to the amendment?

The yeas and nays were required by Mr. Scanlon and Mr. Guarnieri and were as follows:

#### YEAS—120

Altahuler,	Fox,	Lelsey,	Scott,
Barkdoll,	Frank,	Loftus,	Shoemaker,
Baumunk,	Frost,	Madigan,	Smith, C. O.,
Bednarek,	Gallagher,	McCormack,	Snider,
Blair,	George,	McCullough,	Sollenberger,
Bloom,	Gibson,	McKinney,	Spencer,
Bomberger,	Goodling,	McMillen,	Stimmel,
Bower,	Graybill,	Mikula,	Stuart,
Brandon,	Green,	Miller,	Tahl,
Brelschi,	Greenwood,	Milliken,	Thompson,
Brice,	Greer,	Mills,	Tompkins,
Brunner,	Guthrie,	Mintess,	Toomey,
Cadwalader,	Hall,	Moore, C. E.,	Varner,
Clapper,	Haudenschild,	Moore, H. A.,	Wachhaus,
Clendening,	Helm,	Murray,	Wagner,
Cooper,	Herman,	Najaka,	Waterhouse,
Costa,	Hewitt,	Neff,	Watkins,
Dalrymple,	Hocker,	O'Dare,	Weldner,
DeLong,	Hoffman,	O'Donnell,	Weiss,
Dennison,	Jennings,	Orban,	Wescott,
Depuy,	Johnson,	Price, H. W., Jr.,	Wheeler,
Driscoll,	Jump,	Probert,	Wood,
Dye,	Keller,	Reagan,	Worley,
Elder,	Kemp,	Reilly, J. M.,	Yaffe,
Erb,	Kent,	Riley, R. L.,	Yeakel,
Ewing,	Kline,	Robbins,	Yetzer,
Felton,	Kohl,	Robertson,	Young,
Ferster,	Kratz,	Rose,	Ziegler,
Firmstone,	Kurtz,	Royer,	Sorg,
Flack,	Lee,	Sax,	Speaker
Fleming,			

#### NAYS—72

Amarando,	Hersch,	Monroe,	Reynolds,
Boles,	Hoggard,	Moran,	Rosen,
Breth,	Hunter,	Munley,	Rovansek,
Bucchin,	Jenkins,	Nagel,	Sarraf,
Cole,	Jim,	Needham,	Scanlon,
Coleman,	Jones, G. E.,	Nixon,	Schmidt,
Conway,	Jones, J. M.,	Olsen,	Schuster,
Dougherty,	Kamyk,	Pentrack,	Seyler,
Duffy,	Kirley,	Peta,	Smith, W. B.,
Evans,	Kolankiewicz,	Petrosky,	Sternberg,
Filo,	Kondrath,	Pettigrew,	Swope,
Floyd,	Lederer,	Pfafl,	Taylor,
Gaffney,	Leonard,	Polen,	Varallo,
Guarnieri,	Limper,	Posta,	Wargo,
Hagerty,	Lovett,	Powers,	Welsh,
Hamilton,	McGee,	Price, R. A.,	Westrick,
Harris,	McNally,	Readinger,	Williams,
Heatherington,	Mihm,	Reidenbach,	Yester,

#### NOT VOTING—16

Andrews,	Brown, H. S.,	Good,	Penglase,
Bane,	Brown, W. E.,	Harney,	Reese,
Beaver,	Cochran,	Krise,	Stank,
Boorse,	Glembocki,	Musto,	Verona,

So the question was determined in the affirmative and the amendment was agreed to.

The section was agreed to as amended.

The fifteenth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The bill together with the amendments having been called up from the postponed calendar, by Mr. Tompkins

The House resumed the consideration on second reading of Senate Bill No. 446, entitled

An Act to amend sections one two three four and seven and to repeal section five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" prohibiting the levy and collection of certain taxes providing for an over-all limit on revenues to be collected annually and for the use of excess moneys collected requiring reduction of tax rates in certain cases and affording remedies to compel such reduction imposing limits on rates of certain taxes regulating appeals from tax ordinances and resolutions providing for joint agreements for the collection of taxes regulating penalties and interest on taxes and requiring certified copies of effective tax ordinances and resolutions to be filed with the Department of Internal Affairs

On the question recurring,

Will the House agree to the section as amended?

#### RECONSIDERATION OF VOTE

Mr. ELDER. Mr. Speaker, I move that the vote by which the House agreed to the amendments offered by the gentleman from Allegheny, Mr. Heatherington be reconsidered.

Mr. ROBBINS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lycoming, Mr. Elder, vote on agreeing to the amendments.

Mr. ELDER. With the majority, Mr. Speaker.

The SPEAKER. How did the gentleman from Luzerne, Mr. Robbins vote on agreeing to the amendments.

Mr. ROBBINS. With the majority, Mr. Speaker.

On the question,

Will the House agree to the motion?

Mr. HOMER S. BROWN. Mr. Speaker, without passing on the merits of the controversy, the intelligence of the House is at stake, inasmuch as improper amendments were offered. I believe that it should be the sense of the House that what we do we should do in an intelligent manner. I would earnestly request the House to vote to reconsider so that we can then discuss the amendments that will be offered later, which I believe will be in keeping with parliamentary procedure.

The SPEAKER. The Chair thanks the gentleman from Allegheny, Mr. Brown.

Mr. HEATHERINGTON. Mr. Speaker, I would like to

ask the gentleman for what reason he wants to remove these amendments. Anybody over on the other side will do.

Mr. TOMPKINS. Mr. Speaker, the reason for reconsideration is two-fold. I believe they are in a wrong section; secondly, we ask for a reconsideration of the vote by which the amendments passed this afternoon.

Mr. HEATHERINGTON. I thank the gentleman.

Mr. Speaker, after the amendments were put into 446, quite some time later I was informed that the amendments were printed wrong, and I want the House to know that when this bill first came over—before it came over here—the amendments were drawn by the Legislative Reference Bureau to Senate Bill 446. Then it was Printer's No. 663. I requested amendments to remove the wage tax from Senate Bill 446. The bill, if I am not mistaken, coming out of Committee in the House was amended, which meant that I went back to the Legislative Reference Bureau and asked for a new set of amendments to take out the wage tax. I was given this amendment to Senate Bill 446 Printer's No. 701.

I want the House to know, and I want the record to show, if there was anything wrong with the amendments, if they were not placed in the right sections, it was the fault of the Legislative Reference Bureau and nobody else.

Mr. HOMER S. BROWN. Mr. Speaker, I would like the record to show that the gentleman from Allegheny, Mr. Heatherington, is without fault in the matter that prompted this controversy.

Mr. TOMPKINS. Mr. Speaker, I will recognize the fact that the amendments which were offered by the gentleman from Allegheny, Mr. Heatherington, were to a previous Printer's No. and did not fit into the bill which we were considering this afternoon. He is without fault in that respect.

Mr. HOMER S. BROWN. Mr. Speaker, so that the record may be clear, the amendments offered by the gentleman from Allegheny, Mr. Heatherington, were to Printer's No. 701. May I correct the gentleman in that regard?

Mr. MORAN. Mr. Speaker, we voted on these amendments earlier in the evening and we declared our intent. Regardless of what was wrong with the amendments, we gave our legislative intent in that vote. I think that is plenty and we should not have to vote on this issue again. I think if the majority party of this House wanted to do the honorable thing they would accept that roll-call as the roll-call on these amendments.

Mr. TOMPKINS. Mr. Speaker, this is a vote for reconsideration of the amendments which were passed this afternoon, and this is the proper procedure that is commonly used in matters of this kind. We, therefore, ask that the vote by which these amendments passed this afternoon be reconsidered.

Mr. HEATHERINGTON. Mr. Speaker, since the record shows and everyone here knows that the amendments were incorrect, I would like to withdraw the amendments, if it is possible.

The SPEAKER. The gentleman may withdraw the amendments after the question to reconsider has been decided.

Mr. ANDREWS. Mr. Speaker, may I inquire as to what might be the parliamentary status of the bill if the re-

consideration motion carried? Would it then be on second reading, subject to amendment?

The SPEAKER. The gentleman is correct, it would.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

#### AMENDMENTS WITHDRAWN

Mr. HEATHERINGTON. Mr. Speaker, I will withdraw my amendments.

On the question recurring,

Will the House agree to the section?

Mr. HOMER S. BROWN offered the following amendments:

Amend Sec. 1 (Sec. 1), page 4, line 17, by inserting after the word "authority]" the following: "or (3) to levy, assess or collect a tax on wages."

Amend Sec. 1 (Sec. 1), page 4, line 17, by striking out the figure "(3)" and inserting in lieu thereof "(4)."

Amend Sec. 1 (Sec. 1), page 5, line 2, by striking out the figure "(4)" and inserting in lieu thereof "(5)."

Amend Sec. 1 (Sec. 1), page 5, line 14, by striking out the figure "(5)" and inserting in lieu thereof "(6)."

Amend Sec. 1 (Sec. 1), page 5, line 15, by striking out the word "wages."

Amend Sec. 1 (Sec. 1), page 5, line 17, by striking out the figure "(5)" and inserting in lieu thereof "(6)."

Amend Sec. 1 (Sec. 1), page 5, line 18, by striking out the figure "(6)" and inserting in lieu thereof "(7)."

Amend Sec. 1 (Sec. 1), page 6, line 3, by striking out the figure "6" and inserting in lieu thereof "(7)."

Amend Sec. 1 (Sec. 1), page 9, line 9, by striking out the word "wages."

On the question,

Will the House agree to the amendments?

Mr. HOMER S. BROWN. Mr. Speaker, in presenting these amendments we are simply trying to maintain orderly parliamentary procedure in a constitutional form of government, which transcends anything that might be a victory, but which would be something which would not make sense. However, I would like to say for the information of the gentleman from Allegheny, Mr. Moran, that we did try to secure an agreement that the same roll call would be had. That we couldn't get. I should like now to yield to the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, we are back where we were this afternoon. The issue is a wage tax in the bill or a wage tax out. The scene has somewhat changed. In surveying the House I miss some familiar faces. I want to compliment the Majority Leader and the Majority Whip for having been able to call to their assistance powerful help. They have seen to it that certain faces were present in the Hall of the House and certain faces were absent. This afternoon for a brief period coal was out of the bill—the coal miners' wages were out of the bill. It has pleased the very powerful coal lobby for reasons known to themselves, to free itself by throwing the miners and other workers to the taxation wolves. I can assure you, gentlemen, that the coal lobby has been very busy, and I can assure you that the manufacturers' lobby has been very busy.

So, Mr. Speaker, we come once again to the matter of conviction. What has happened since this afternoon to shed new light upon the question we were discussing? What things have been brought to bear that we should reconsider a considered decision? I only know part of the

story. I appreciate the pressure, but once again I appeal this evening, as I appealed this afternoon, to your sense of fairness. I say, as I said this afternoon, that we are in the midst of a sweep gradually to eliminate from this home rule tax structure everything substantial excepting wages and the sales tax. You take the utilities out; you take all the manufacturers' interests out; you take coal out. The only substantial part you have left is wages.

Now, Mr. Speaker, as a political issue I couldn't imagine a better and more inviting issue than you handed out tonight. As a result of this reconsideration you reserve your decision of this afternoon and you say that coal stays out of the bill, but the coal miner's wages stay in. I think that you can well afford from the standpoint of your own intellectual integrity to disregard anything that has happened, any pressure that has been brought to bear, any argument that has been made outside of the Hall of this House.

This afternoon I appealed to the conscience of this House and once again tonight I appeal to the conscience of this House. I believe that the amendments are in the line of substantial justice. Members of the House, the issue is, wages in or out of the bill.

Mr. TOMPKINS. Mr. Speaker, as I said this afternoon on the floor of this House, misconception rose two years ago after the passage of what is now known as 481 because of the language in that act, "they shall have the authority." Many municipalities gained the conception that they had to levy a tax of some kind.

This wage tax refers, not to a state wide wage tax. I want you to understand that thoroughly. It is a tax that is permitted to local political subdivisions and constitutes a home rule tax. Only those communities who elect to tax wages do so. It is not imposed upon the people generally in the state of Pennsylvania. Those people in the local political subdivisions who are satisfied to relieve some of the home owners of the burden of real estate taxes upon them are willing that their wages be taxed for the purpose of building up the facilities which they require in the communities in which they live. We certainly believe that they should be given that privilege and opportunity. They are the people who live there; they work there; they have their homes there; they like the community; it is the kind which appeals to them. If the cost of that community must be paid practically from a tax on wages, we certainly feel it is their privilege to do so. That is the heart and the meat of this local tax bill.

There are other taxes which can be considered by them, such as amusements as well as a few other taxes. Outside of that there is only one source by which a community can develop, and that is by raising money from taxes from other sources. So many subjects are taxed by the state that they cannot tax, so many subjects are taxed by other means, that we are limited in our taxes under this home rule bill, or even 481. They must have a spread of some kind in order to give them the privilege of developing their own local community. It is a matter of local pride in the various communities.

As to the question of coal, which the gentleman from Cambria has raised, I will concede that is something that has been sadly abused under 481. The same ton of coal has been taxed in several different political subdivisions by one manner of taxation or another. There is not only a tax upon the coal at the mines and in the community

through which the coal passes, but there is a tax upon the route of that coal to the docks in another political subdivision, so that they tax the same subject a dozen different times when they see fit.

This bill which we have before us at the present time is an attempt to place certain limitations upon the double and treble taxation on the same subject. The question of double taxation is, as always, reprehensible to the American philosophy on government and economy. Therefore, we are trying by the various amendments contained in this bill to put limitations upon that authority. If this bill perchance from here in should fail with the wage tax out, we then would be faced with the necessity of continuing the tax two years, with no control such as we have had for the past two years under 481.

I certainly believe, Mr. Speaker, that we should afford to every local community the privilege of selecting the form of tax they desire to impose for the protection of the service which may be required in their local community, and for that reason I ask that the amendments be voted down.

Mr. ANDREWS. Mr. Speaker, it is interesting to hear as able an attorney as the gentleman from Cameron, extol on the one hand the beauties of local home rule, and on the other to present the necessity for rigid local control. It would have been just as easy for the gentlemen of the majority to have brought in a bill which would have made it impossible to tax coal in any more than one place—very easy.

The miners' wages, the workman's wages represent for him his protection. You might say to him that you can, from the standpoint of the wage earner, tax his total production, but you are saying that you cannot tax the production of his coal; you cannot tax the production of any manufacturer's article; you cannot tax your utilities. No, all you can tax is wages and amusements, which it boils down to. You cannot have local self home rule and control, both. You indict the very foundation of the bill, when you speak of control in order to correct the mistakes of the local community.

Why are you placing a top on wages? You could have placed a top on coal; you could have placed a top on steel; you could have placed a top on lumber. It is just as reasonable to do that as to open the door to all things that the state does not tax, and place a top thereon, but you exclude all the range of production and you pin the tax on the wages of the worker.

I submit that the amendment, gentlemen, is a charge upon your conscience.

Mr. POSTA. Mr. Speaker, last night in this House I heard the majority party bestow their love for our Minority Leader. Tonight I sit anxiously to hear them repeat—

Mr. ANDREWS. Mr. Speaker, the remarks of the gentleman are not apropos to the issue. I wish he would not continue in that vein.

The SPEAKER. The point of order is well taken.

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, it looks as though we were whipping in the wage tax again. The gentleman mentioned tonight that this coal tax is not an overall

statewide proposition. Would the gentleman have any objection to holding it over temporarily so that we may have an amendment drawn putting a statewide two cent tax on coal, returning it to all municipalities?

Mr. TOMPKINS. Mr. Speaker, I have no authority to hold this bill up any further.

Mr. HEATHERINGTON. Mr. Speaker, would the gentleman have any objection to an amendment to put a statewide two cent tax on coal, returning it to all municipalities?

Mr. TOMPKINS. Mr. Speaker, that issue is not before the House at this time.

Mr. HEATHERINGTON. Mr. Speaker, the gentleman mentioned last night and today that the coal tax is not equal and it is not a statewide tax.

Mr. TOMPKINS. Mr. Speaker, it is a local tax. That is not germane to the argument in connection with the wage tax.

Mr. HEATHERINGTON. Mr. Speaker, I took from the gentleman's remarks to mean that he would be willing to put a statewide two cent tax on coal.

Mr. TOMPKINS. Mr. Speaker, if I left that impression with the gentleman, he is wrong.

Mr. HEATHERINGTON. Mr. Speaker, would the gentleman object to holding the bill up so that we can put a two cent tax on coal and return it to all municipalities?

Mr. TOMPKINS. Mr. Speaker, I will stand on this bill as it is.

Mr. HEATHERINGTON. I thank the gentleman, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I would like to have the vote to be taken on these amendments limited to that amending Section 1, Page 4, line 17 by inserting after the word "authority" the following: "3. Levy, assess or collect tax on wages," and not on the rest of the amendments.

Mr. ANDREWS. Mr. Speaker, that is acceptable.

Mr. ROBERTSON. Mr. Speaker, so as to make certain that the record of this House is correct, for my own personal feelings on this matter, I would like to make the following statement:

I am not personally against a wage tax as such, but I believe every Member of this House knows that I am against a wage tax on non-residents; I am against a non-resident wage tax, and I want the record straight on that regard.

I would like to yield, Mr. Speaker, to the gentleman from Delaware, Mr. Milliken.

Mr. MILLIKEN. Mr. Speaker, I did not vote on these amendments this afternoon because I felt that they were not of any particular interest to the people of my county. I have always been against a wage tax, particularly a wage tax on non-residents, but I am still for home rule. Being a local Burgess of Sharon Hill, I feel we should have the right to decide what taxes we shall place on our own citizens. Therefore, I am going to vote against these amendments.

Mr. BLOOM. Mr. Speaker, I am opposed to a wage tax. We have none in Delaware County. I am opposed to a wage tax upon non-residents. We don't do that in Delaware County. I am opposed to the Philadelphia wage tax as it affects the citizens of Delaware County. As my colleague has said, Members of this House, when we enlisted their aid to help us eliminate the wage tax on non-residents, they gave us nothing but the most cool reception.

To hear men talk as they do tonight is an insult on the intelligence of those who sought their aid. Since the recess this afternoon I assure you that no manufacturer, directly or indirectly, contacted me in any manner whatsoever; I assure you, that no member of the miners or miners' lobby in any way contacted me or had any effect whatsoever upon my judgment that I am going to exercise now.

As the gentleman from Cameron said, I construe this as a home rule bill. My colleagues who are anxious to have their respective communities determine the kind and classification of taxes they desire, have talked with me and I feel, after listening to what they have to say, that they have the right to have an opportunity, each community for itself, to determine whether or not they wish to pass a wage tax. My record in this House shows that on each measure as it comes before me, regardless of whether it be a bill in regard to manufacturers or a labor bill, I approach it from the standpoint of the best interests of all the people of the Commonwealth of Pennsylvania. Because of that fact I am opposing these amendments.

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Bloom.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. BLOOM. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, I kind of agreed with the gentleman from Delaware until he came to the end. I understand the gentleman to say that he was going to oppose the amendment.

Mr. BLOOM. That is what the gentleman heard me say, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, when the gentleman opposes the amendments, leaving the wage tax in the bill, that means, does it not, that he is voting for a wage tax?

Mr. BLOOM. That does not mean that at all, Mr. Speaker. It means just as the bill provides, that each community can determine for itself whether or not they desire the prerogative given to them by this home rule bill to tax wages. It does not mean that I am in favor of the wage tax.

Mr. HEATHERINGTON. Mr. Speaker, in my community we are definitely against a wage tax, so, we put a two cent tax on coal. Is the gentleman for the bill to remove that tax on coal and have us put a tax on the coal miners? Am I right or am I wrong?

Mr. BLOOM. Mr. Speaker, I am only for the bill. It doesn't say anything about the things the gentleman mentioned.

Mr. HEATHERINGTON. Mr. Speaker, I am willing to vote for this bill if the amendments exclude the wage tax, take the wage tax out of it, but the gentleman is going to vote against the amendment and leave the wage tax in.

Mr. BLOOM. Mr. Speaker, I am going to vote for the bill so that each community may determine for itself just how it will impose a tax.

Mr. HEATHERINGTON. Mr. Speaker, is the gentleman sure he knows how he is voting?

Mr. BLOOM. I do, Mr. Speaker.

Mr. HEATHERINGTON. I thank the gentleman.

Mr. Speaker, if there is any man in this room who can show me when he votes against these amendments that

he is not for the wage tax, I would like to have that explained.

Mr. LOVETT. Mr. Speaker, I will not apologize for taking up the time of the House. I did not think it would be necessary that I should have to make another speech on the same thing, but we find that the speed under which we act, as I said before, leaves us where we have to continually make speeches.

I want to assure you men in this House that I am for this bill as it came into this House. I am for these amendments that you men were for this afternoon. I warned you two years ago that eventually you were going to put this tax on the working men. That is where you finally wound up, and you know it. You can get up and make speeches all night about being opposed to a wage tax, but that does not mean a thing back home to the people who have to pay the wage tax. The only way you can prove to them that you are opposed to a wage tax is to do the same thing that we are doing here. You should show the people back home that you are going to take out of this bill the right to put that wage tax on.

I am opposed to a wage tax. I have stood here and fought and talked to you men on the other side and on this side at the last Session of the Legislature on this same problem, and I am sorry that I had to make two speeches today in order to tell you men. So, all I want to say to you is, let's be fair, if you were for these working men this afternoon and opposed to the wage tax, then you should be just as fair tonight as you were this afternoon, and take this wage tax out.

That is not going to destroy this piece of legislation. This bill is all right. If we take the wage tax out, that is not going to spoil the bill. Who said that it cannot pass if we do not put the wage tax in? The Governor? If we do find out that the Governor is for a wage tax, let him face it. Why shouldn't he face it? Pass the bill and let the Governor veto it and then we will know who is opposed to taking the wage tax out and protecting the working people of Pennsylvania. If the Governor's political future depends on that, I guarantee you that he is a dead pigeon, I will guarantee you that from now on he is a dead pigeon. When he is the fellow who stands up and says that he won't take the wage tax out, when he does that in order to put you on the spot, then you put him on the spot. Pass the bill without a wage tax in and then see what happens.

Mr. BRUNNER. Mr. Speaker, I had not intended to get into this discussion, but I feel after the remarks of the gentleman from Westmoreland, Mr. Lovett, that I too should state for the record, so far as we are concerned on this side, that we have determined as a group of legislators to take a position on another bill. We have received no instructions from anyone; that is the way we act over here.

I would like to agree with the gentleman from Allegheny, Mr. Brown, that the way this bill was amended, it reduces it to an absurdity because the amendments did not fit into the bill to make it at all intelligent or operative, but since I am on my feet I would like to join with the gentleman from Cameron, Mr. Tompkins, and ask the members to vote this amendment down.

Mr. ANDREWS. Mr. Speaker, I should like to interrogate the gentleman from Montgomery, Mr. Brunner.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BRUNNER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, is it the gentleman's opinion that various Members of the House who voted for the bill this afternoon but may not vote for it this evening, voted for it this afternoon because it was not in proper form? Was that the reason they voted for it?

Mr. BRUNNER. Mr. Speaker, I am not able to account for what reasons the various Members on this side and the other side vote from time to time on any measure that is on the calendar.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman from Montgomery.

I would hate to think that the Members of the House who voted for the bill this afternoon and who may not be present tonight to vote for it, or who may wish to change their position, that they voted for it this afternoon because it was not drawn in proper order.

Mr. MILLIKEN. Mr. Speaker, I would just like to say that this bill that we are discussing now has nothing to do with the Philadelphia wage tax. If this bill passes or fails, it will not help in my opinion one bit. It will not help in my opinion one bit to relieve my community. We are opposed to the Philadelphia wage tax on non-residents. I will continue that fight as long as I am a Member of this General Assembly.

Mr. LOVETT. Mr. Speaker, just one more word, I want to tell the gentleman who just spoke that I voted for a bill to do the very thing that he wants to do back some years ago and it was introduced by a Republican on the other side of this House.

The SPEAKER. Pursuant to the request to divide the question, the Chair will read the amendment, for the information of the House, that we are about to vote upon.

Amend Section 1 (Sec. 1) page 4, line 17, by inserting after the word "authority]" the following: or (3) to levy, assess or collect a tax on wages

On the question,

Will the House agree to the amendment as read by the Speaker?

The yeas and nays were required by Mr. Evans and Mr. Readinger and were as follows:

A verification of the roll was requested by Messrs. Stank, Readinger and Weiss.

The roll was verified and was as follows:

YEAS—90

Amarando,	Harris,	Munley,	Sarra,
Andrews,	Heatherington,	Musto,	Scanlon,
Bane,	Hersch,	Nagel,	Schmidt,
Beaver,	Hoggard,	Needham,	Schuster,
Boles,	Hunter,	Nixon,	Seyler,
Brandon,	Jenkins,	Olsen,	Smith, W. B.,
Breth,	Jim,	Pentrack,	Snider,
Brown, H. S.,	Jones, G. E.,	Peta,	Stank,
Bucchin,	Jones, J. M.,	Petrosky,	Sternberg,
Cole,	Kamyk,	Pettigrew,	Swope,
Coleman,	Kirley,	Pfaff,	Taylor,
Conway,	Kolankiewicz,	Polen,	Varallo,
Dougherty,	Kondrath,	Posta,	Verona,
Duffy,	Lederer,	Powers,	Wargo,
Evans,	Leonard,	Price, R. A.,	Weiss,
Flo,	Limper,	Readinger,	Welsh,
Floyd,	Lovett,	Reese,	Westrick,
Gaffney,	McGee,	Reldenbach,	Wheeler,
Glembocki,	McNally,	Reynolds,	Williams,
Good,	Mihm,	Rose,	Worley,
Guarnieri,	Mills,	Rosen,	Yester,
Hagerty,	Monroe,	Rovansek,	Yetzer,
Hamilton,	Moran,		

NAYS—107

Altschuler,	Firmstone,	Kent,	Robertson,
Barkdoll,	Flack,	Kline,	Royer,
Baumunk,	Fleming,	Kratz,	Sax,
Bednarek,	Fox,	Kurtz,	Scott,
Blair,	Frank,	Lee,	Shoemaker,
Bloom,	Frost,	Lelsey,	Smith, C. C.,
Bomberger,	Gallagher,	Loftus,	Spencer,
Bower,	George,	Madigan,	Stimmel,
Breisch,	Gibson,	McCormack,	Stuart,
Brice,	Goodling,	McCullough,	Tahl,
Brunner,	Graybill,	McMillen,	Thompson,
Cadwalader,	Green,	Miller,	Tompkins,
Clapper,	Greenwood,	Milliken,	Toomey,
Clendening,	Greer,	Mintess,	Varner,
Cooper,	Guthrie,	Moore, C. E.,	Wachhaus,
Costa,	Hall,	Moore, H. A.,	Wagner,
Dalrymple,	Haudenshield,	Murray,	Waterhouse,
DeLong,	Helm,	Neff,	Watkins,
Dennison,	Herman,	O'Dare,	Weidner,
Deputy,	Hewitt,	O'Donnell,	Wescott,
Driscoll,	Hocker,	Orban,	Wood,
Dye,	Hoffman,	Price, H. W., Jr.,	Yaffe,
Elder,	Jennings,	Propert,	Yeakel,
Erb,	Johnson,	Reagan,	Young,
Ewing,	Jump,	Reilly, J. M.,	Ziegler,
Felton,	Keller,	Riley, R. L.,	Sorg,
Forster,	Kemp,	Robbins,	Speaker

NOT VOTING—11

Boorse,	Harney,	McKinney,	Penglase,
Brown, W. E.,	Kohl,	Mikula,	Sollenberger,
Cochran,	Krise,	Najaka,	

So the question was determined in the negative and the amendment was not agreed to.

On the question recurring,  
Will the House agree to the section?  
It was agreed to.

Mr. BRUNNER. Mr. Speaker, I would like to inquire of the gentleman from Allegheny, Mr. Brown, whether the remainder of the amendments may be withdrawn.

Mr. HOMER S. BROWN. Yes, Mr. Speaker.  
The second and third sections were separately read and agreed to.

The title was read.  
On the question,  
Will the House agree to the title?

Mr. BROWN offered the following amendment:  
Amend title, page 1, lines 1 and 2 of title, by striking out the words "and to repeal section 5"

On the question,  
Will the House agree to the amendment?

Mr. BRUNNER. Mr. Speaker, the amendment as suggested by Mr. Brown to the title is approved by us.

Mr. ANDREWS. Mr. Speaker, I wanted Mr. Brown to withdraw his amendments and let the Majority Leader have the pleasure and the honor of amending the title of the bill, but Mr. Brown says that the Majority Leader is not prepared to amend the title of the bill, that it will take some time to prepare the amendment. So, Mr. Brown insisted upon having his amendment stick, but I conferred the honor upon the Majority Leader.

On the question recurring,  
Will the House agree to the amendment?  
It was agreed to.  
The title as amended was agreed to.  
And said bill having been read at length the second time and agreed to,  
Ordered, To be transcribed for third reading.

## RECONSIDERATION OF VOTE ON SENATE BILL NO. 909

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the vote by which Senate Bill No. 909, Printer's No. 580, entitled:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation

was ordered to be transcribed for third reading, be reconsidered.

Mr. PROPERT. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Smith, vote on ordering to transcribe the bill for third reading?

Mr. CHARLES C. SMITH. With the majority, Mr. Speaker.

The SEAKER. How did the gentleman from Montgomery, Mr. Propert, vote on ordering to transcribe the bill for third reading?

Mr. PROPERT. With the majority, Mr. Speaker.

Mr. CHARLES C. SMITH. Mr Speaker, I move that the vote by which this bill was agreed to on second reading, be reconsidered

The motion was agreed to.

Mr. CHARLES C. SMITH. I move that the vote by which the title and the various sections were agreed to, be reconsidered.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. CHARLES C. SMITH offered the following amendment:

Amend Section 1, page 1, line 1, by inserting after the word "funds" the following: "in the General Fund."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

## SENATE MESSAGE

### SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 438.

An Act to encourage the suitable useful continual and gainful employment of service disabled veterans through the creation and administration of the Service Disabled Veterans Employment Disability Trust providing for its administration by the Workmen's Compensation Board and payments therefrom in cases of additional disability through accidents in employment and making an appropriation.

Referred to the Committee on Appropriations.

## BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

## HOUSE BILL No. 912.

An Act relating to and regulating the business of dry cleaning and dyeing as herein defined granting authority to and imposing duties upon the Department of Labor and Industry requiring approval by said Department of certain plans for dry cleaning and dyeing plants and the machinery equipment and systems used therein prescribing filing fees for applications for said approval providing for certain administrative and judicial review of the orders and decisions of said Department conferring authority upon certain employees of political subdivisions and representatives of the Pennsylvania State Police providing penalties for violations of the provisions of this Act or the regulations adopted thereunder and repealing certain acts

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## RECONSIDERATION OF VOTE ON SENATE BILL NO. 797

Mr. VARNER. Mr. Speaker, I move that the vote by which Senate Bill No. 797, Printer's No. 784, entitled:

An Act to further amend section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership in county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compensation of judges inspectors clerks and machine inspectors and for mileage to persons furnishing transportation for transmitting returns and ballot boxes at primaries and elections

was agreed to on third reading, be reconsidered.

Mr. TOMPKINS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Clarion, Mr. Varner, vote on agreeing to the bill on third reading?

Mr. VARNER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Cameron, Mr. Tompkins, vote on agreeing to the bill on third reading?

Mr. TOMPKINS. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. VARNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of Title, by inserting after the word "elections" the following: "in all counties except in counties of the first and second class."

Amend Sec. 1 (Sec. 412), page 4, line 19, by inserting after the word "boxes" the following: "in counties of the third, fourth, fifth, sixth, seventh and eighth classes."

Amend Sec. 1 (Sec. 412), page 5, line 4, by inserting after the word "provided" the following: "in counties of the third, fourth, fifth, sixth, seventh and eighth classes."

Amend Sec. 1 (Sec. 412), page 5, line 9, by striking out the word "clauses" and inserting in lieu thereof: "sub-sections."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. PETROSKY. Mr. Speaker, in reference to the proposal that we are now considering, I did not know that this was coming up, inasmuch as the bill was on final passage, ready to be passed by the House today. But this is the bill similar to the one sponsored by myself and several other colleagues on this side of the House.

The SPEAKER. Does the gentleman understand that the bill is called up for the purpose of amendment only?

Mr. PETROSKY. Mr. Speaker, I would like to see the amendment.

Mr. TOMPKINS. Mr. Speaker, I am informed by the gentleman from Clarion, Mr. Varner, that he furnished a copy to the gentleman from Cambria, Mr. Andrews and also furnished a copy to Mr. Brown.

Mr. HOMER S. BROWN. The gentleman is right; I have a copy of the amendments. However, there is so much confusion in the House that it is utterly impossible to follow the procedure.

The SPEAKER. These amendments are being offered at this time only to expedite the printing problem, to expedite the business of today and tomorrow.

Mr. PETROSKY. I have no objection to the amendment, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### SENATE BILLS PASSED OVER

The SPEAKER. The remaining Senate Bills on the calendar will be passed over until tomorrow, if there is no objection. The Chair hears none, and the bills are passed over.

If there is no objection, the communications from the Senate will be laid on the Speaker's table until tomorrow. The Chair hears none, and the communications are laid on the Speaker's table.

### RECONSIDERATION OF VOTE ON SENATE BILL NO. 982

Mr. BRUNNER. Mr. Speaker, I move that the vote by which Senate Bill No. 982, Printer's No. 673, entitled:

To amend sections five hundred two five hundred eight (d) and (h) two thousand four hundred two (h) two thousand four hundred eight (a) and (c) and two thousand four hundred eleven (b) (c) and (d) of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments

boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the reimbursement of funds spent by one department on behalf of another department enlarging powers of Department of Property and Supplies as to buildings on the capitol grounds as to services to state authorities as to appointment of architects and engineers as to damages to Commonwealth property and imposing certain duties on superintendents of State institutions and presidents of state teachers colleges and others in charge of Commonwealth property requiring departments to prepare project analysis of anticipated construction and eliminating requirement of approval of appointment of architects and engineers by the department having construction work done

was ordered to be transcribed for third reading, be reconsidered.

Mr. HOMER S. BROWN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Montgomery, Mr. Brunner, vote on ordering the bill to be transcribed for third reading?

Mr. BRUNNER. With the majority, Mr. Speaker.

The SPEAKER. How did the gentleman from Allegheny, Mr. Brown, vote on ordering the bill to be transcribed for third reading?

Mr. BROWN. With the majority, Mr. Speaker.

On the question,

Will the House agree to the motion?

Mr. BRUNNER. Mr. Speaker, the gentleman from Allegheny, Mr. Brown, agrees with my position that the bill is unconstitutional and that is the reason for my motion for reconsideration of the vote on this bill.

The motion was agreed to.

Mr. BRUNNER. I move that the vote by which the title and the various sections were agreed to, be reconsidered. The motion was agreed to.

### BILL DROPPED FROM CALENDAR

Mr. BRUNNER. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

### ADJOURNMENT

Mr. SNIDER. Mr. Speaker, I move that this House now adjourn until Thursday, April 28, 1949, at 10:00 a. m., E. S. T.

The motion was agreed to, and (at 11:10 p. m., E. S. T.) the House adjourned.



# Legislative Journal.

Session 1949.

138th of the General Assembly.

Vol. 31.

HARRISBURG, PA., THURSDAY, APRIL 28, 1949.

No. 54.

## SENATE

THURSDAY, April 28, 1949

The Senate met at 9:00 o'clock a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

## PRAYER

The Chaplain, Rev. WILLIAM D. McLEAN offered the following prayer:

Eternal God, the heavenly Father of us all, Who art the fountain of all wisdom, we praise Thee and give thanks to Thee for the rewards that hath been given to us in the Session of the Senate of the Commonwealth of Pennsylvania now drawing to a close.

Grant that all legislation that has been approved will be put to use for Thy glory and for Thy purpose as well as for benefit of the people of this Commonwealth. May our errors be corrected and may our righteousness flourish that we may all live in Godly charity with each other. In these final hours, while there is yet time, may we accomplish that which is necessary and well pleasing in Thy sight.

When this Session is over, may we go in peace, with all hatred and prejudice removed, and be kindly affectioned one toward another in brotherly love, so that Thy blessings may abound in us more and more.

Grant to us, both in returning to our homes as well as our sojourns through life, a safe journey and a pleasant end.

Through Jesus Christ our Lord. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. DIEHM, further reading was dispensed with, and the Journal was approved.

## ANNOUNCEMENT BY MAJORITY FLOOR LEADER

Mr. WALKER. Mr. President, I would like to call the attention of the Members of the Senate to the card which has been placed on their desks, by the Sergeant-at-Arms of the Senate.

If the gentlemen of the Senate will please fill out

these cards, and turn them in to the Secretary of the Senate so that they can be delivered to the Sergeant-at-Arms, the material involved will be transported to their homes or offices, according to the designation on the card. This will expedite your continued study of legislative matters during the interim.

## BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 229, entitled:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

Senate Bill No. 247, entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," by increasing the amounts which the counties will receive from the State for forest reserves.

Senate Bill No. 330, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children and elderly people as well as family groups, industrial workers and others.

Senate Bill No. 456, entitled:

An Act to amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and

to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by providing for reimbursement of taxes paid on liquid fuels consumed in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products.

**Senate Bill No. 465, entitled:**

An Act making an appropriation to the Department of Public Instruction for the purpose of revising the curricula of elementary, secondary and vocational schools.

**Senate Bill No. 501, entitled:**

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

**Senate Bill No. 504, entitled:**

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

**Senate Bill No. 508, entitled:**

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania.

**Senate Bill No. 660, entitled:**

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of, and the purchase of apparatus and equipment for, the Western State Psychiatric Institute and Clinic, and for the conduct of teaching and research on the cause, treatment, prevention and cure of the various types of nervous disorders and mental diseases; and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

### COMMUNICATIONS

The Chair cleared his table and laid before the Senate the following communications which were read by the Clerk:

**THE SENATE**

Lansing 2, Michigan

April 26, 1949

Honorable Daniel Strickler

President of the Senate

Harrisburg, Pennsylvania

Good morning, Mr. Strickler:

The Michigan Legislature, by adoption of the enclosed resolution, has directed me to forward to you, as presiding officer of your Senate, a duly attested copy of

House Concurrent Resolution No. 26, making application to the Congress for the calling of a convention to propose an amendment to the Constitution of the United States, and Senate Concurrent Resolution No. 18, requesting your legislature to adopt the above resolution.

The Michigan Legislature requests that you place House Concurrent Resolution No. 26 before your Senate for consideration as soon as possible: If you are now in session, by immediate presentation; if not in session, by presentation at the next special or regular session.

May we have an acknowledgment of receipt of these resolutions?

Sincerely yours,

FRED I. CHASE

**STATE OF MICHIGAN  
MICHIGAN LEGISLATURE**

**HOUSE CONCURRENT RESOLUTION No. 26**

offered by

Representatives Anderson, Christman, Carroll and Hutchinson and Senators Tripp, Bonine, Hittle and Martin

A Concurrent Resolution making application to the Congress of the United States for the calling of a convention to propose an amendment to the Constitution of the United States.

Whereas, Article V of the Constitution of the United States reads in part as follows: "The Congress on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states" and

Whereas, The legislature of the state of Michigan, in view of the increasing tax problems of the state, caused in large part by the invasion of tax sources by the federal government, believes that its problems as well as the problems of other states similarly situated, can be solved only by some restraint upon present unrestrained exercise of the taxing power by the federal government; and

Whereas, The federal government is using and has been using for a number of years the taxing power to produce revenue beyond a legitimate necessity of a federal government, other than defense needs, and has been using the funds so raised to invade the province of legislation of the states and to appropriate in many fields that which amounts to a dole to the states of the money raised therefrom to accomplish many purposes, most of them worthy, but by the described process making the money available only under conditions which result in a control by the federal government from centralized agencies in Washington, in many cases unfit, and in other cases unable to administer the laws according to the local needs because of varying conditions in the country as a whole; resulting in inequities in the administration of the very benefits purported to be granted; and

Whereas, State and local needs are disadvantaged because the people are already taxed far beyond the need for any purpose other than forcing the centralization of all government in Washington; and

Whereas, The framers of the Constitution of the United States clearly foresaw the possibility of a condition similar to that herein described, and made provision in the Constitution for safeguarding the states against any oppression or invasion of rights by the federal government; therefore be it

Resolved by the legislature of the state of Michigan That said legislature, hereby and pursuant to Article of the Constitution of the United States, makes application to the Congress of the United States to call a convention for the proposing of the following amendment to the Constitution of the United States;

**Article —**

Section 1. The power to levy taxes and appropriate the revenues therefrom heretofore granted to the Congress by the states in the several articles of this constitution is hereby limited.

Sec. 2. This article shall be in effect except during a state of war, hereafter declared, when it shall be suspended. The suspension thereof shall end upon the termination of the war but not later than three months after the cessation of hostilities, whichever shall be earlier. The cessation of hostilities may be declared by proclamation of the President or by concurrent resolution of the Congress or by concurrent action of the legislatures of 32 states.

Sec. 3. Notwithstanding the provisions of Article V, this article may be suspended for a time certain or amended at any time by concurrent action of the legislatures of three-fourths of the states.

Sec. 4. There shall be set aside in the treasury of the United States a separate fund into which shall be paid 25 per cent of all taxes collected by authority derived from the sixteenth amendment to this constitution, except as provided in section 5, and 25 per cent of all sums collected by the United States from any other tax levied for revenue.

Sec. 5. There shall be set aside in the treasury of the United States a separate fund into which shall be paid all sums received from taxes levied on personal incomes in excess of 50 per cent thereof and from taxes levied on income or profits of corporations in excess of 38 per cent thereof.

Sec. 6. Before paying any sums into the funds created by sections 4 and 5 hereof, the treasurer of the United States shall deduct therefrom 20 per cent which shall be used in payment of the principal of the national debt of the United States.

Sec. 7. No tax shall hereafter be imposed on that portion of the incomes of individuals which does not exceed, in the case of unmarried persons the sum of \$600.00 per annum, and in the case of married persons the sum of \$1,200.00 per annum jointly. A minimum deduction of \$600.00 per annum shall be allowed for each dependent.

Sec. 8. The treasurer of the United States shall once in each year from the separate fund created by section 4 hereof, pay to each of the several states  $\frac{1}{4}$  of 1 per cent of said fund and from the remainder of said fund shall pay to each state a portion of such remainder determined by the population of each state in ratio to the entire population of the several states according to the last federal decennial census or any subsequent general census authorized by law.

Sec. 9. The treasurer of the United States shall, from the separate fund created by section 5 hereof, pay to each state, once in each year, a sum equal to the amount of money in such fund which was collected from persons or corporations within such state.

Sec. 10. Any sums paid hereunder to the several states shall be available for appropriation only by the legislatures thereof. The legislatures may appropriate therefrom for any purpose not forbidden by the constitutions of the respective states and may appropriate therefrom for expenditures within the states for any purpose for which appropriations have heretofore been made by the Congress except such purposes as are specifically reserved by this constitution for the exclusive power of the Congress. The people of each state may limit the expenditures of funds herein made available to the legislature, but shall not direct the appropriation thereof.

Sec. 11. Each legislature shall have power by rule or resolution to provide for the assembly thereof in special sessions for the purpose of considering amendments to, the suspension of or the ratification of amendments proposed to this article.

Sec. 12. Each legislature shall have power to elect one or more persons to represent such legislature in any council or convention of states created by concurrent action of the legislatures of 32 states for the purpose of obtaining uniform action by the legislatures of the several states in any matters connected with the amendment of this article.

Section 13. The Congress shall not create, admit or form new states from the territory of the several states as constituted on the first day of January, 1949, and shall not create, form or admit more than three states from the territories and insular possessions under the jurisdiction

of the United States on the first day of January, 1949, or from territory thereafter acquired without the express consent of the legislatures of  $\frac{3}{4}$  of the several states.

Sec. 14. On and after January 1, 1949, the dollar shall be the unit of the currency. The gold content of the dollar as fixed on January 1, 1949, shall not be decreased.

Sec. 15. Concurrent action of the legislatures of the several states as used herein shall mean the adoption of the same resolution by the required number of legislatures. A limit of time may be fixed by such resolution within which such concurrent action shall be taken. No legislature shall revoke the affirmative action of a preceding legislature taken therein.

Sec. 16. During any period when this article is in effect the Congress may, by concurrent resolution adopted by two-thirds of both houses wherein declaration is made that additional funds are necessary for the defense of the nation, limit the amount of money required by this article to be returned to the several states. Such limitation shall continue until terminated by the Congress or by concurrent action of a majority of the legislatures of the several states. Upon termination of any such limitation the Congress may not thereafter impose a limitation without the express consent by concurrent action of a majority of the legislatures of the several states.

Sec. 17. This article is declared to be self-executing and be it further

Resolved, That attested copies of this concurrent resolution be sent to the presiding officers of each House of the Congress and to each member of the Michigan delegation in Congress, and that printed copies thereof, showing that said concurrent resolution was adopted by the legislature of Michigan, be sent to each House of each legislature of each state of the United States; and be it further

Resolved, That this application hereby made by the legislature of the state of Michigan shall constitute a continuing application in accordance with Article V, of the Constitution of the United States until at least two-thirds of the legislatures of the several states shall have made similar applications pursuant to said Article V; and be it further

Resolved, That since this is an exercise by a state of the United States of a power granted to it under the Constitution, the request is hereby made that the official journals and Record of both Houses of Congress, shall include the resolution or a notice of its receipt by the Congress, together with similar applications from other states, so that the Congress and the various states shall be apprised of the time when the necessary number of states shall have so exercised their power under Article V of the Constitution; and be it further

Resolved, That since this method of proposing amendments to the Constitution has never been completed to the point of calling a convention and no interpretation of the power of the states in the exercise of this right has ever been made by any court or any qualified tribunal, if there be such, and since the exercise of the power is a matter of basic sovereign rights and the interpretation thereof is primarily in the sovereign government making such exercise and since the power to use such right in full also carries the power to use such right in part the legislature of the state of Michigan interprets Article V to mean that if two-thirds of the states make application for a convention to propose an identical amendment to the Constitution for ratification with a limitation that such amendment be the only matter before it, that such convention would have power only to propose the specified amendment and would be limited to such proposal and would not have power to vary the text thereof nor would it have power to propose other amendments on the same or different propositions; and be it further

Resolved, That the legislature of the state of Michigan does not, by this exercise of its power under Article V, authorize the Congress to call a convention for any purpose other than the proposing of the specific amendment which is a part hereof; nor does it authorize any representative of the state of Michigan who may participate in such convention to consider or to agree to the proposing

of any amendment other than the one made a part hereof; and be it further

Resolved, That by its actions in these premises, the legislature of the state of Michigan does not in any way limit in any other proceeding its right to exercise its power to the full extent; and be it further

Resolved, That the Congress, in exercising its power of decision as to the method of ratification of the proposed article by the legislatures or by conventions, is hereby requested to require that the ratification be by the legislatures.

Adopted by a majority vote of the Representatives-elect, April 7, 1949.

Adopted by a majority vote of the Senators-elect, April 11, 1949.

Fred I. Chase, Secretary of the Senate

Norman E. Philleo, Clerk of the House of Representatives

I, F. M. ALGER, JR., Secretary of State of the State of Michigan, do hereby certify that Fred I. Chase and Norman E. Philleo, whose names are subscribed to the foregoing concurrent resolution, were at the time of such subscription the duly qualified Secretary of the Senate and Clerk of the House of Representatives of the State of Michigan respectively, and as such officers authorized to execute said concurrent resolution.

In Witness Whereof, I have hereunto set my hand and affixed the Great Seal of the State at the Capitol, in the City of Lansing, this twentieth day of April, A. D. 1949.

F. M. ALGER, JR.  
Secretary of State.

STATE OF MICHIGAN  
Michigan Legislature

Senate Concurrent Resolution No. 18

offered by

Senators Tripp, Bonnie, Hittle and Martin and Representatives Anderson, Christman, Carroll and Hutchinson

A concurrent resolution requesting the several States of the United States to adopt a resolution making application for a convention to propose an amendment to the Constitution relating to Taxes.

When in the course of human events it becomes evident that the federal government of the United States of America:

1. Has progressively invaded most of the lucrative fields of taxation.
2. Has multiplied its levies of taxes.
3. Has used the taxing power to bring about a veritable revolution in the economic structure of the nation.
4. Has collected taxes far in excess of its just or reasonable needs.
5. Has utilized the excess tax revenues to create controlled doles to the states.
6. Has by such doles more and more completely controlled through a centralization of government the lives and affairs of the people.
7. Has created an ever increasing number of bureaus.
8. Has granted power to bureaucrats to make rules having the effect of law, and subjected the people to them.
9. Has created waste and fostered inefficiency in government.
10. Has, by inducement of matching funds, lured legislatures into participating in such waste.
11. Has depleted federal trust funds and thereby caused the need of new taxes to restore broken guarantees.
12. Has wasted, according to recent reports, 3 billions of dollars per annum by inefficient methods in civil government.

13. Has wasted more billions by permitting continued inefficiency and disunity in the operations of the armed forces.

14. Has fostered dissension and the creation of classes, special interests and pressure groups.

15. Has in large part destroyed the balance of government as created in and intended by the constitution of the United States.

It becomes necessary for the state to take cognizance of the dangerous trends of government and utilize the safeguards in the constitution provided for the states in the wisdom and forethought of the framers of the constitution; and,

Whereas, The state of Michigan has adopted a resolution making application under Article V of the constitution for the calling of a convention to propose to the states a specific amendment to the constitution to limit taxing power and to return to the states a portion of money collected in federal taxation and to authorize the expenditure of such funds in fields in which the Congress has more and more invaded the states, thereby preventing further invasion of basic functions of the states and recapturing some functions heretofore lost; and,

Whereas, In order to exercise the rights and powers of the states under Article V it is necessary that a minimum of 32 states adopt an identical resolution in order to control the operation of such a convention when called; and,

Whereas, The legislature of the state of Michigan has considered the various problems involved in the suggested procedure and has arrived at what it deems an acceptable resolution containing sufficient safeguards; and,

Whereas, If amendments thereto are adopted, the validity and effect of the entire proceedings may be jeopardized and brought to naught; and,

Whereas, Because of the foregoing, the legislature of the state of Michigan believes the principles of government affected thereby and the purposes to be accomplished may be acceptable to at least two-thirds of the states; now therefore be it

Resolved, by the legislature of the state of Michigan, That copies of this resolution be sent, together with copies of the resolution proposing a convention for the amendment of the constitution, to all the legislatures of the states of the Union, and that such states are hereby requested to adopt such resolution as written, in order that the principle of amendment by the states may be tested, to the end that the states may benefit from the proposals contained therein.

Adopted by a majority vote of the Senators-elect, April 11, 1949.

Adopted by a majority vote of the Representatives-elect, April 14, 1949.

Fred I. Chase, Secretary of the Senate

Norman E. Philleo, Clerk of the House of Representatives

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. LORD, JR. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LORD, JR. Mr. President, from the Committee on Executive Nominations I report the Executive Nominations which has been recalled by the Governor.

The nomination was read as follows:

### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, April 21, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nom

enate for the advice and consent of the Senate the following appointment:

Joseph Zak, 126 Whitaker Street, Whitaker, Allegheny County, as Justice of the Peace in and for the Borough of Whitaker, Allegheny County, until the first Monday of January, 1950, Vice Fred F. Ockerman, deceased.

JAMES H. DUFF.

#### NOMINATION RETURNED TO THE GOVERNOR

Mr. LORD, JR. Mr. President, I move that the nomination just read by the Clerk be returned to the Governor.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. LORD, JR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LORD, JR., from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

#### MEMBERS OF THE FULTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, April 27, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Fulton County Board of Assistance:

Rev. G. Loren Jones (Republican), McConnellsburg, Fulton County, to serve until December 31, 1950, and until his successor is duly appointed and qualified, vice Roy W. Layton, Warfordsburg, deceased.

Wilmer G. Hayes (Democrat), McConnellsburg, Fulton County, to serve until December 31, 1950, and until his successor is duly appointed and qualified, vice Wilson Nace, McConnellsburg, resigned.

Howard C. Peck (Republican), McConnellsburg, Fulton County, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice J. Campbell Patterson, McConnellsburg, resigned.

JAMES H. DUFF.

#### MEMBER OF THE PENNSYLVANIA BOARD OF PAROLE

Commonwealth of Pennsylvania

Governor's Office Harrisburg, April 18, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Sophia I. R. O'Hara, 100 East Park Place, Kingston, Luzerne County, for reappointment as a Member of the Pennsylvania Board of Parole, for the term of four years, and until her successor shall have been duly appointed and qualified.

JAMES H. DUFF.

#### MEMBER OF THE STATE CIVIL SERVICE COMMISSION

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, April 27, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with the law, I have the honor hereby to nominate for the advice and consent of the Senate George Young (Republican), 353 North Wade Avenue, Washington, Washington County, for reappointment as a Member of the State Civil Service Commission, to serve until April 9, 1954, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

#### SECRETARY OF COMMERCE

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, April 27, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Theodore Roosevelt, 3rd, 1593 Wayne Avenue, Villanova, Delaware County, for appointment as Secretary of Commerce, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified, vice Orus J. Matthews, Ardmore, resigned.

JAMES H. DUFF.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS

##### RULE 38 SUSPENDED

By unanimous consent,

A motion was made by Mr. LORD, JR. and Mr. WALKER,

To grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of action upon all the nominations reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. LORD, JR. and Mr. WALKER,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

##### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. LORD, JR. Mr. President, I move that the Executive Session do now rise.

Mr. WALKER. Mr. President, I second the motion.  
The motion was agreed to.

## SENATE RESOLUTION

GRANTING THE USE OF THE SENATE CHAMBER FOR  
THE INAUGURATION OF THE HON. WELDON B.  
HEYBURN, AUDITOR GENERAL ELECT

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 28, 1949

Whereas, in the General Election held in Pennsylvania on Tuesday, November 2, 1948, the Honorable Weldon B. Heyburn, a former member of this body, was elected as Auditor General of the State of Pennsylvania; and

Whereas, his term of office of four years begins at Noon on the first Tuesday of May following such election, to wit: May 3, 1949; therefore be it

Resolved that the use of the Senate Chamber be granted to him for his inauguration at that time.

## HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL  
No. 137

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 137, entitled:

An Act to amend section nine hundred five of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," relating to fixed charges payable by the Commonwealth in lieu of taxes on real property.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL  
No. 141

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 141, entitled:

An Act to amend subsection (b) of section two hundred eighty-nine of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," relating to fixed charges payable by the Commonwealth in lieu of taxes on real property.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL  
No. 242

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 242, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing the

formation of a State Association of Recorders of Deeds, providing for the payment by counties of certain expenses in connection therewith; and renumbering certain existing sections.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL  
No. 300

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 300, entitled:

An Act to add sections ninety-nine point one, ninety-nine point two and ninety-nine point three to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing and regulating the formation of a State association by county treasurers and providing that certain expenses are to be paid by the counties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL  
No. 308

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 308, entitled:

An Act to quiet title to real estate and to facilitate the alienation thereof, creating a presumption of payment, satisfaction or release and making unenforceable, all mortgages, judgments, dowers, recognizances, annuities, unpaid legacies, ground rents, liens, charges or encumbrances, decree or other obligation or instrument, and correcting defects in the title and making claims thereunder invalid, by creating a presumption of release and extinguishment, where such liens, charges or encumbrances or defects of record arise, occur, exist, or are dated more than thirty years prior to the time of the institution of any proceeding hereunder, to enforce payment, perfect, revive or continue the aforesaid lien, charge or encumbrance, or to correct or remedy a defect in title unless an action is instituted to enforce such lien, charge or encumbrance as aforesaid against the present owners or action is taken to perfect title to, or to correct or remedy defects therein within one year after the effective date of this act.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL  
No. 454

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 454, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts, county superintendents, assistant county superintendents, supervisors of special education and district superintendents, and repealing certain provisions of said act.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL  
No. 537

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 537, entitled:

An Act to further amend section sixteen of the act, approved the eleventh day of July, one thousand nine hun

dred seventeen (P. L. 758), entitled "Narcotic Law," by authorizing the Secretary of Health to make necessary rules and regulations for the proper enforcement of this act.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 538

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 538, entitled:

An Act to amend section ninety-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by further providing for the payment of expenses of prothonotaries and clerks of court attending meetings of the state association; and providing for the payment of dues of such associations by counties.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 577

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 577, entitled:

An Act to further amend sections one hundred one, one hundred sixteen and two hundred ten of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by requiring approval of State Council of Education and county board of school directors before creation or affecting boundaries of third and fourth class districts.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 631.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 631, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing, adding and deleting certain definitions; changing certain fees; eliminating from the act the requirements and provisions pertaining to engine numbers on engines of motor vehicles, trailers and semi-trailers; further regulating the registration, titling, equipment, license plates and size of certain vehicles and the licensing of operators; and prescribing additional enforcement and penal provisions.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 646

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 646, entitled:

An Act to amend section seventy-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," increasing amount payable by counties for defraying expenses of controllers' association's annual meeting.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 798

He also presented communication from the House of Representatives informing the Senate that the House has

concurred in amendments made by the Senate to House Bill No. 798, entitled:

An Act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 853

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 853, entitled:

An Act to further amend section five of the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," by further regulating the taking of examinations for registration.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 895

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 895, entitled:

An Act to further amend the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled, as amended, "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," by giving additional preferences to certain disabled soldiers and their wives.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 912

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 912, entitled:

An Act relating to and regulating the business of dry cleaning and dying as herein defined; granting authority to and imposing duties upon the Department of Labor and Industry; requiring approval by said Department of certain plans for dry cleaning and dying plants and the machinery, equipment and systems used therein; prescribing filing fees for applications for said approval; providing for certain administrative and judicial review of the orders and decisions of said Department; conferring authority upon certain employees of political subdivisions and representatives of the Pennsylvania State Police; providing penalties for violations of the provisions of this act or the regulations adopted thereunder; and repealing certain acts.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 987

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 987, entitled:

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752) entitled "Civil Service Act," by granting certain

preferences to soldiers in examinations, selections and appointment of eligibles and furloughs.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1075

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1075, entitled:

An Act to further amend subsection (2) of section eleven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," by further regulating the rights of contributors who have separated from and return to the employ of the Commonwealth.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1113

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1113, entitled:

An Act to amend section three hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "County Institution District Law," by directing that an allowance be paid to every county commissioner for expenses pertaining to the institution district.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1320

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1320, entitled:

An Act transferring money from the Manufacturing Fund to the General Fund.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 28

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 28, entitled:

An Act to further amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, and four thousand three hundred twenty-four of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," further regulating the retirement of firemen on pensions; and requiring certain payments to be made to the Firemen's Pension Fund by cities.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 28

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 28.

Mr. HALUSKA. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until one-thirty o'clock, p. m. Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion. The motion was agreed to.

### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 24, entitled:

An Act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office; invalidating zoning ordinances hereto adopted unless copies thereof, together with maps, are filed within a certain time, and imposing duties and conferring powers on recorders of deeds.

House Bill No. 103, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase condemnation lease or gift certain lands adjacent to the Daniel Boone Homestead property providing for the maintenance and improvement thereof and making an appropriation for the payment of the costs of such acquisition.

House Bill No. 137, entitled:

An Act to amend section nine hundred five of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law relating to fixed charges payable by the Commonwealth in lieu of taxes on real property.

House Bill No. 141, entitled:

An Act to amend subsection (b) of section two hundred eighty-nine of the act approved the second day of March, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," relating to fixed charges payable by the Commonwealth in lieu of taxes on real property.

House Bill No. 206, entitled:

An Act to further amend section two thousand eight hundred one A, of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," further regulating the disposition of museum material in the custody of the Pennsylvania Historical and Museum Commission.

House Bill No. 216, entitled:

An Act requiring political subdivisions to file copies of building ordinances in the recorder's office, invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds.

House Bill No. 240, entitled:

An Act to further amend section one of the act, approved the second day of June, one thousand nine hundred

dred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day," by including Catholic War Veterans, Inc., among the veterans' organizations to which certain appropriations may be made.

House Bill No. 241, entitled:

An Act to further amend clause thirty-four of section twenty-four hundred three of the act, approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by including Catholic War Veterans, Inc., among the veterans' organizations for which certain appropriations may be made.

House Bill No. 242, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing the formation of a State Association of Recorders of Deeds, providing for the payment by counties of certain expenses in connection therewith; and renumbering certain existing sections.

House Bill No. 260, entitled:

An Act establishing a Pennsylvania Game Commission Retirement System; providing for payments upon retirement, death disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund, under the administration of the State Employees' Retirement Board; providing for contributions by employees of the Pennsylvania Game Commission and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities; allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

House Bill No. 285, entitled:

An Act to further amend sections one and eight of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled "An act providing for the creation, maintenance and operation of a county employees' retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties" further regulating such retirement systems.

House Bill No. 293, entitled:

An Act to further amend clause (b) of section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by reducing the working week of Capitol Police to five days.

House Bill No. 300, entitled:

An Act to add sections ninety-nine point one, ninety-nine point two and ninety-nine point three to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing and regulating the formation of a State association by county treasurers and providing that certain expenses are to be paid by the counties.

House Bill No. 308, entitled:

An Act to quiet title to real estate and to facilitate the alienation thereof, creating a presumption of payment, satisfaction or release and making unenforceable, all

mortgages, judgments, dowers, recognizances, annuities, unpaid legacies, ground rents, liens, charges or encumbrances, decree or other obligation or instrument, and correcting defects in title and making claims thereunder invalid, by creating a presumption of release and extinguishment, where such liens, charges or encumbrances or defects of record arise, occur, exist, or are dated more than thirty years prior to the time of the institution of any proceeding hereunder, to enforce payment, perfect, revive or continue the aforesaid lien, charge or encumbrance, or to correct or remedy a defect in title unless an action is instituted to enforce such lien, charge or encumbrance as aforesaid against the present owners or action is taken to perfect title to, or to correct or remedy defects therein, within one year after the effective date of this act.

House Bill No. 320, entitled:

An Act to amend section one of the act, approved the third day of April, one thousand nine hundred twenty-nine (P. L. 127), entitled "An act fixing the fees of the recorder of deeds in counties of the third and fourth class," changing said fees.

House Bill No. 364, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical and Museum Commission, to acquire, on behalf of the Commonwealth, certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester, Delaware County, as a historical site; providing for the control, management, supervision, improvement, and maintenance thereof; authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

House Bill No. 438, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by requiring such townships to establish police pension funds in certain cases; and permitting private police pension funds in such townships to elect to transfer their funds to township police pension funds.

House Bill No. 448, entitled:

An Act relating to police pension funds in cities of the second class A and of the third class, boroughs, towns and townships; and directing such political subdivisions to appropriate monies thereto.

House Bill No. 454, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts, county superintendents, assistant county superintendents, supervisors of special education and district superintendents, and repealing certain provisions of said act.

House Bill No. 480, entitled:

An Act to amend section one of the act, approved the twenty-first day of June, one thousand nine hundred forty-seven (P. L. 765), entitled "An act fixing the fees of the recorder of deeds in counties of the sixth, seventh, and eighth class," by clarifying the provisions relating to the payment by the county commissioners of certain fees for services rendered by the recorder of deeds.

House Bill No. 537, entitled:

An Act to further amend section sixteen of the act,

approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 758), entitled "Narcotic Law," by authorizing the Secretary of Health to make necessary rules and regulations for the proper enforcement of this act.

House Bill No. 538, entitled:

An Act to amend section ninety-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by further providing for the payment of expenses of prothonotaries and clerks of court attending meetings of the state association; and providing for the payment of dues of such associations by counties.

House Bill No. 577, entitled:

An Act to further amend sections one hundred one, one hundred sixteen and two hundred ten of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by requiring approval of State Council of Education and county board of school directors before creation or affecting boundaries of third and fourth class districts.

House Bill No. 625, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by increasing the total maximum length of certain vehicles.

House Bill No. 631, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing, adding and deleting certain definitions; changing certain fees; eliminating from the act the requirements and provisions pertaining to engine numbers on engines of motor vehicles, trailers and semi-trailers; further regulating the registration, titling, equipment, license plates and size of certain vehicles and the licensing of operators; and prescribing additional enforcement and penal provisions.

House Bill No. 646, entitled:

An Act to amend section seventy-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," increasing amount payable by counties for defraying expenses of controllers's association's annual meeting.

House Bill No. 786, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," as last amended, by further regulating the cost price per copy of publications for distribution to the public.

House Bill No. 798, entitled:

An Act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries.

House Bill No. 835, entitled:

An Act limiting the forfeiture confiscation seizure or taking of motor vehicles used in violation of law

House Bill No. 853, entitled:

An Act to further amend section five of the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice

Law," by further regulating the taking of examinations for registration.

House Bill No. 895, entitled:

An Act to further amend the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled, as amended, "An act providing for and requiring in certain cases preference in appointment to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," by giving additional preferences to certain disabled soldiers and their wives.

House Bill No. 911, entitled:

An Act to further amend section six of the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," by providing additional grounds for revocation of registration.

House Bill No. 912, entitled:

An Act relating to and regulating the business of dry cleaning and dyeing as herein defined; granting authority to and imposing duties upon the Department of Labor and Industry; requiring approval by said Department of certain plans for dry cleaning and dyeing plants and the machinery, equipment and systems used therein; prescribing filing fees for applications for said approval; providing for certain administrative and judicial review of the orders and decisions of said Department; conferring authority upon certain employees of political subdivisions and representatives of the Pennsylvania State Police; providing penalties for violations of the provisions of this Act or the regulations adopted thereunder; and repealing certain acts.

House Bill No. 946, entitled:

An Act to amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 759), entitled "An act providing for the acquisition and maintenance by the Department of Forests and Waters, with the advice of the Bushy Run Battlefield and adjacent lands as a public historical park, and for the erection of a monument or memorial therein; authorizing the department to accept gifts for exhibition in, and funds or securities to be invested for the benefit of, said park; imposing duties upon the Governor, the Auditor General and the State Treasurer in connection with such funds or securities; and making an appropriation," by authorizing the Bushy Run Battlefield Commission to accept gifts or bequests; authorizing the commission to adopt and execute plans for the improvement, preservation and maintenance of the park; authorizing the commission to enter into agreements respecting highways, railways, railroads, and other means of travel within the park, and to regulate the travel and traffic over said park and police the same; authorizing use of the park as a camping ground for the National Guard of Pennsylvania; and permitting the erection of monuments or other memorials on the park grounds.

House Bill No. 949, entitled:

An Act to repeal the act approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 535), entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments, and prescribing the procedure therefor," in so far as it relates to counties of the second class and cities, boroughs, townships, and school districts, situate in such counties.

House Bill No. 987, entitled:

An Act to further amend the act, approved the fifth day

of August, one thousand nine hundred forty-one (P. L. 752) entitled "Civil Service Act," by granting certain preferences to soldiers in examinations, selection and appointment of eligibles and furloughs.

House Bill No. 991, entitled:

An Act to further amend the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 735), entitled "An act relating to milk; providing for the protection of the public health, and the prevention of fraud and deception, by regulating the sale of milk, skimmed milk and cream; providing penalties for the violation thereof; and providing for the enforcement thereof," by defining skim milk and providing for methods of standardization of milk.

House Bill No. 992, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929, by making the Bushy Run Battlefield Commission a departmental administrative commission in the Department of Forests and Waters.

House Bill No. 1049, entitled:

An Act to further amend section four hundred four of the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "Unemployment Compensation Law" by increasing benefits.

House Bill No. 1075, entitled:

An Act to further amend subsection (2) of section eleven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law," by further regulating the rights of contributors who have separated from and return to the employ of the Commonwealth.

House Bill No. 1077, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Allegheny County, Pennsylvania, for use in connection with the Moon Township Airport and ceding jurisdiction to the United States.

House Bill No. 1086, entitled:

An Act authorizing the recorder of deeds in counties of the first class to appoint and empower clerks employed in his office to administer oaths and affirmations.

House Bill No. 1093, entitled:

An Act establishing a certain section of road over State-owned lands as a State Highway, and providing for the construction and maintenance at the expense of the Commonwealth.

House Bill No. 1098, entitled:

An Act to further amend section fourteen of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law," by providing for an additional option at superannuation.

House Bill No. 1113, entitled:

An Act to amend section three hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "County Institution District Law," by directing that an allowance be paid to every county commissioner for expenses pertaining to the institution district.

House Bill No. 1140, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of The Coal Mine Sealing Act of 1947.

House Bill No. 1153, entitled:

An Act to further amend section two of the act, approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 589), entitled, as amended, "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocating, widening or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies using such streets; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing or deleting certain routes as indicated and adding certain new routes.

House Bill No. 1320, entitled:

An Act transferring money from the Manufacturing Fund to the General Fund.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler in the presence of the Senate signed the same.

## HOUSE MESSAGES

### SENATE BILL No. 105 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 105, entitled:

An Act to further amend sections two hundred five and two hundred nine and to amend section four hundred forty-two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing

ing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by changing and fixing the salaries of certain officers of the Commonwealth.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 399

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 399, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," prohibiting the use of certain additional words in corporate name; authorizing the passage of by-laws superceding the charter on purely administrative matters; permitting notice of meetings to be given by advertisement; changing certain provisions relating to mergers, consolidations and foreign corporations, and repealing an act.

#### SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 399

Mr. WALKER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 399, and that a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 399

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. TALLMAN, MAHANY and ROSENFELD, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 399.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 400

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 400, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions and officers; authorizing certain State departments, boards, commissions or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing the requirement of and effect of notice to shareholders in certain cases; further limiting the use of certain words in corporate names; defining the term of office of the first directors; changing provisions relating to the inception of corporate existence or authority to do business; changing the requirements of contents of articles of incorporation and application for certificates of authority; providing for indemnification of directors and officers of certain expenses; making certain changes relating to issuance and redemption of shares, amendment of articles of incorporation, merger and consolidation; providing for the domestication of foreign corporations; and eliminating the filing of affidavit of paid in capital and clearance certificates in certain cases.

#### SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 400

Mr. WALKER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 400, and that a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 400

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. TALLMAN, MAHANY and ROSENFELD, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 400.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 530

He also presented communication from the House of

Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 530, entitled:

An Act to amend section ten of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1410), entitled "An act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith," by increasing the minimum annual salaries of associate judges not learned in the law.

#### SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 530

Mr. WALKER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 530, and that a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 530

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. STEVENSON, WOLFE and NEFF, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 530.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE DISCHARGES COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1073

He also informed the Senate that the House has discharged the House Committee of Conference on House Bill No. 1073, entitled:

An Act to amend subsection five of section seven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law" by providing for determining the amount earnable by members of the General Assembly.

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 1073

He also informed the Senate that the House insists upon its non-concurrence in Senate amendments to House Bill No. 1073, entitled:

An Act to amend subsection five of section seven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law" by providing for determining the amount earnable by members of the General Assembly.

#### COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1073 DISCHARGED

Mr. WALKER. Mr. President, I move that the Committee of Conference appointed on the part of the Senate on House Bill No. 1073 be discharged from further consideration of the bill.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE RECEDES FROM ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1073

Mr. WALKER. Mr. President, I move that the Senate recede from its amendments non-concurred in by the House to House Bill No. 1073, entitled:

An Act to amend subsection five of section seven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law" by providing for determining the amount earnable by members of the General Assembly.

Mr. HARE. Mr. President, I second the motion.  
On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO HOUSE BILL No. 291 RECALLED FROM THE GOVERNOR

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to House Bill No. 291, recalled from the Governor, entitled:

An Act to regulate deliveries of light fuel oil to domestic consumers; conferring powers and imposing duties on the Department of Internal Affairs, and the inspectors of weights and measures of the several counties and cities; and prescribing penalties.

# SENATE RECEDES FROM ITS NON-CONCURRENCE IN HOUSE AMENDMENTS TO HOUSE BILL No. 291 RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate recede from its non-concurrence in the amendments made by the House to House Bill No. 291, recalled from the Governor, entitled:

An Act to regulate deliveries of light fuel oil to domestic consumers; conferring powers and imposing duties on the Department of Internal Affairs, and the inspectors of weights and measures of the several counties and cities; and prescribing penalties.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

# SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 291, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 291, recalled from the Governor.

Mr. HARE. Mr. President, I second the motion.  
On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

# COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

# APPROVED AND SIGNED SENATE BILL No. 160, PRINTER'S No. 40

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 160, Printer's No. 40, entitled "An Act to further amend Section four hundred twelve and subsections (9) and (10) of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation

importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by further regulating advertisements allowed on and about licensed premises and increasing the quantity of malt or brewed beverages which may be sold in a single sale by certain licensees for consumption off premises."

JAMES H. DUFF.

# APPROVED AND SIGNED SENATE BILL No. 212, PRINTER'S No. 407

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 212, Printer's No. 407, entitled "An Act to further amend section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled 'An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board' by making certain children placed in foster homes by the court eligible for assistance."

JAMES H. DUFF.

# APPROVED AND SIGNED SENATE BILL No. 218, PRINTER'S No. 148

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 218, Printer's No. 148, entitled "An Act to further amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended 'An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election

officers providing penalties and repealing existing acts' by providing the quantity of malt or brewed beverages to be sold by any manufacturer distributor importing distributor or retail dispenser further regulating advertisements allowed on and about licensed premises."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 581,  
PRINTER'S No. 408

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 581, Printer's No. 408, entitled "An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled 'An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws' by further providing for emergency registration of nurses."

JAMES H. DUFF.

NOMINATIONS BY THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE CLEARFIELD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Clearfield County Board of Assistance:

Isaac B. Whitaker (Republican), Curwensville, Clearfield County, to serve until December 31, 1950, and until his successor is duly appointed and qualified, vice S. T. McClure, Clearfield, deceased.

Mrs. Lillian Ashcroft (Democrat), Morrisdale, Clearfield County, to serve until December 31, 1951, and until her successor is duly appointed and qualified, vice T. R. McCracken, Mahaffey, whose term expired.

Raymond J. Swallow (Republican), Day Apartments, South Brady Street, DuBois, Clearfield County, to serve until December 31, 1951, and until his successor is duly appointed and qualified. (Reappointment).

JAMES H. DUFF.

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of East Stroudsburg State Teachers' College:

Randall J. Marsh, 715 Scott Street, Stroudsburg, Monroe County, to serve until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified. (Reappointment).

Dr. A. J. Harlacher, East Stroudsburg, Monroe County, to serve until the third Tuesday of January, 1953, and

until his successor shall have been appointed and qualified, vice John I. Blair, Stroudsburg, deceased.

JAMES H. DUFF.

ALDERMAN, SECOND WARD, CITY OF CONNELLSVILLE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Andrew J. Rottler, 232 North Pittsburgh Street, Conneltsville, Fayette County, for appointment as Alderman in and for the Second Ward of the City of Conneltsville, Fayette County, until the first Monday of January, 1950, vice Richard M. Williams, resigned.

JAMES H. DUFF.

JUDGE OF THE MUNICIPAL COURT OF PHILADELPHIA

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Emanuel W. Beloff, 2330 South 8th Street, Philadelphia, Philadelphia County, for appointment as Judge of the Municipal Court of Philadelphia, until the first Monday of January, 1950, vice Edward Shmidheiser, deceased.

JAMES H. DUFF.

JUDGE OF THE ORPHANS' COURT OF THE FIRST JUDICIAL DISTRICT

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John P. Boland, 408 Sixty-sixth Avenue, Philadelphia, Philadelphia County, for appointment as Judge of the Orphans' Court of the First Judicial District, composed of the City and County of Philadelphia, until the first Monday of January, 1950, vice Lewis H. VanDusen, deceased.

JAMES H. DUFF.

REGISTRATION COMMISSION IN AND FOR THE CITY OF SCRANTON

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Registration Commission in and for the City of Scranton, to serve until January 3, 1950, and until their successors are qualified:

David Thomas (Republican), 333 North Sumner Avenue, Scranton, Lackawanna County, vice George William Morgan (Republican), Scranton, whose term expired.

Mrs. Annie P. Manly (Republican), 421 North Webster Avenue, Scranton, Lackawanna County, vice Mrs. Edith M. Reynolds (Republican), Scranton, whose term expired.

Dominick Manzo (Democrat), 301 North Chestnut Avenue, Scranton, Lackawanna County, vice J. Gerald Collins (Democrat), Scranton, whose term expired.

Dr. T. G. Killeen (Democrat), 701 Jefferson Avenue,

Scranton, Lackawanna County, vice James J. Dempsey, Jr. (Democrat), Scranton, whose term expired.

JAMES H. DUFF.

## NOMINATIONS BY THE GOVERNOR

### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 28, 1949.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

Samuel J. Laquatra, 104 4th Ave. (22) Pittsburgh.  
Ray K. Shaffer, Coraopolis.

#### ARMSTRONG COUNTY

Bartholomew C. Favero, Leechburg.

#### BEAVER COUNTY

Vincent C. Massa, Beaver Falls.  
E. J. Mushinski, Ambridge.

#### BLAIR COUNTY

D. E. Sill, Altoona.

#### BUCKS COUNTY

J. Stanley Davis, Northampton Twp., Richboro.

#### DAUPHIN COUNTY

Miss Kathleen M. Eline, Harrisburg.  
Rexford M. Glaspey, Harrisburg.  
Melvin S. Witman, Harrisburg.

#### DELAWARE COUNTY

John A. Murphy, Upper Darby Twp., 7048 W. Garrett Rd., Upper Darby.

#### LANCASTER COUNTY

Ralph G. Stewart, Columbia.

#### LEHIGH COUNTY

Mrs. Joyce M. Joseph, Allentown.

#### NORTHAMPTON COUNTY

James Dearden, Easton.

#### PHILADELPHIA COUNTY

Joseph F. Marcer, 706 Market St. Natl. Bank Bldg.

#### WESTMORELAND COUNTY

John D. Houston, Jr., Vandergrift.

JAMES H. DUFF.

A motion was made by Mr. WALKER and Mr. HARE, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSivestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## HOUSE MESSAGES

### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED BY THE SENATE TO SENATE BILL No. 399 AND APPOINT COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists upon its amendments non-curred in by the Senate to Senate Bill No. 399, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," prohibiting the use of certain additional words in corporate name; authorizing the passage of by-laws superceding the charter on purely administrative matters; permitting notice of meetings to be given by advertisement; changing certain provisions relating to mergers, consolidations and foreign corporations, and repealing an act.

and has appointed Messrs. McKINNEY, ORBAN, JR., and READINGER, as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED BY THE SENATE TO SENATE  
BILL No. 400 AND APPOINTS COMMIT-  
TEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 400, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing the requirement of and effect of notice to shareholders in certain cases; further limiting the use of certain words in corporate names; defining the term of office of the first directors; changing provisions relating to the inception of corporate existence or authority to do business; changing the requirements of contents of articles of incorporation and application for certificates of authority; providing for indemnification of directors and officers of certain expenses; making certain changes relating to issuance and redemption of shares, amendment of articles of incorporation, merger and consolidation; providing for the domestication of foreign corporations; and eliminating the filing of affidavit of paid in capital and clearance certificates in certain cases.

and has appointed Messrs. McKINNEY, ORBAN, Jr., and READINGER, as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED BY THE SENATE TO SENATE  
BILL No. 530 AND APPOINTS COMMIT-  
TEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 530, entitled:

An Act to amend section ten of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1410), entitled "An act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of Common Pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith" by increasing

the minimum annual salaries of associate judges not learned in the law.

and has appointed Messrs. WATKINS, TOMPKINS and COLEMAN as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

SENATE BILL No. 105 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time, Senate Bill No. 105 returned from the House with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,  
The Senate resumed the consideration of Senate Bill No. 105, entitled:

An Act to further amend sections two hundred five and two hundred nine and to amend section four hundred forty-two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by changing and fixing the salaries of certain officers of the Commonwealth.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:  
Amend the title, page 1, lines 1 and 2 of the title, by striking out after the word "amend" in line 1, and before the word "the" in line 2, the following: "sections two hundred five and two hundred nine and to amend section four hundred forty-two of;" Amend the bill, page 7, by inserting between lines 6 and 7, the following: "Section 3 Subsection (a) of section two hundred ten of said act as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 945) is hereby further amended to read as follows; Section 210 Compensation of members of administrative boards and commissions (a) annual salaries shall be payable in equal semi-monthly installments as follows; To the Commissioner of Fisheries six thousand seven hundred fifty dollars; To the Chairman of the Pennsylvania Public Utility Commission [ten thousand five hundred] fifteen thousand dollars as provided by law; To the Members of the Pennsylvania Public Utility Commission other than the chairman each [ten] fourteen thousand dollars as provided by law; To the Chairman of the Pennsylvania Labor Relations Board nine thousand dollars as provided by law; To the members of the Pennsylvania Labor Re-

lations Board each eight thousand five hundred dollars as provided by law; To the Chairman of the Milk Control Commission ten thousand five hundred dollars as provided by law; To the members of the Milk Control Commission each ten thousand dollars as provided by law; To the Chairman of the Pennsylvania Liquor Control Board fifteen thousand dollars; To the members of the Pennsylvania Liquor Control Board other than the chairman each fourteen thousand dollars; Section 4 Section four hundred twenty-seven of said act as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1354) is hereby further amended to read as follows; Section 427 State Athletic Commission the State Athletic Commission shall consist of three members who shall be appointed for terms of two years and the Secretary of Revenue ex officio; each member of the commission except the Secretary of Revenue and the chairman shall receive a salary of [five thousand five hundred] seven thousand dollars per annum and the chairman shall receive a salary of seven thousand five hundred dollars per annum; two members of the commission shall constitute a quorum and the concurrence of at least two members of the commission shall be necessary to render valid any action by the commission; the commission may appoint such number of deputies as shall be approved by the executive board whose compensation shall be fixed by the commission with the approval of the Governor; the Commission may with the approval of the Secretary of Revenue appoint a secretary who shall receive a salary to be fixed by the Commission with the approval of the Governor; Section 5 Section four hundred twenty-nine of said act is hereby amended to read as follows; Section 429 Pennsylvania Securities Commission the Pennsylvania Securities Commission shall consist of three members and the Secretary of Banking ex officio; two members of the Commission shall constitute a quorum and no action of the Commission shall be valid unless it shall have the concurrence of at least two members a vacancy on the Commission shall not impair the right of a quorum to exercise all the powers and perform all the duties of the Commission; the Governor shall designate one of the members of the Commission as the chairman thereof and the Secretary of Banking with the approval of the Governor shall appoint a secretary who shall receive such salary as the Secretary of Banking with the approval of the Governor shall determine; the chairman of the Commission shall receive a salary at the rate of [seven thousand five hundred] eight thousand five hundred dollars per annum the other members of the Commission except the Secretary of Banking shall receive salaries at the rate of [seven thousand] eight thousand dollars per annum."

Amend Section 3, page 7, line 7, by striking out after the word "Section" and before the word "four," the following: "3 Section" and inserting in lieu thereof, the following: "6 Sections four hundred forty-one and" Amend Section 3, page 7, line 7, by striking out after the word "act" and before the word "hereby," the following: "is" and inserting in lieu thereof, the following: "are;" Amend Section 3, page 7, by inserting between lines 8 and 9, the following: "Section 441 Workmen's Compensation Board the Workmen's Compensation Board shall consist of three members of whom the Governor

shall designate one as chairman the Secretary of Labor and Industry shall be ex officio a member of the board two members of the board shall be a quorum and no action of the board shall be valid unless it shall have the concurrence of at least two members a vacancy on the board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the board the Secretary of Labor and Industry with the approval of the Governor shall appoint a Secretary to the Workmen's Compensation Board who shall receive such salary as the Secretary of Labor and Industry with the approval of the Governor shall determine the chairman of the Workmen's Compensation Board shall receive a salary at the rate of [nine thousand] eleven thousand five hundred dollars per annum the other members of the board except the Secretary of Labor and Industry shall receive salaries at the rate of [eight thousand five hundred] eleven thousand dollars per annum."

Amend Section 4, page 8, line 1, by striking out after the word "Section" and before the word "The," the following: "4" and inserting in lieu thereof, the following: "7;" Amend Section 4, page 8, lines 1 to 3, by striking out after the word "shall" in line 1, the following: "to the extent permitted by the Constitution become effective on the first day of June one thousand nine hundred forty-nine" and inserting in lieu thereof, the following: "become effective immediately upon final enactment."

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 105

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 105.

Mr. HARE. I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett.	Haluska.	Neff.	Taylor.
Berger.	Hare.	Pechan.	Toole.
Blass.	Holland.	Peelor.	Wade.
Chapman.	Homsher.	Robinson.	Wagner.
Crowe.	Kephart.	Rosenfeld.	Walker.
Dent.	Lane.	Ruth.	Watkins.
Diehm.	Leader.	Scarlett.	Watson.
DiSilvestro.	Letzler.	Snowden.	Wolfe.
Doehla.	Lord.	Stevenson.	Wood, L. H.
Donlan.	Mahany.	Stiefel.	Wood, T. N.
Farrell.	Mallery.	Tallman.	Yosko.
Frazier.	McPherson, Jr.		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1301, as follows:

An Act to add section one thousand two hundred eight point one to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in certain civil cases arising out of the same violations facts or circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding immediately following section one thousand two hundred eight thereof a new section to read as follows

Section 1208.1 When Pleas and Payment of Fine etc Inadmissible as Evidence in Civil Cases A plea of guilty or nolo contendere or payment by any person charged with a violation of this act of the fine and costs prescribed for such violation after such a plea in any summary proceedings before a magistrate shall be inadmissible as evidence in every civil proceeding arising out of the same violation or under the same facts or circumstances: Provided that the provisions of this section shall not be applicable to administrative or judicial proceedings involving the suspension of a motor vehicle operating privilege learner's permit or right to apply for a motor vehicle operating privilege or the suspension of a certificate of appointment as an official inspection station or the sus-

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1301, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1301, recalled from the Governor.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Dichm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILLS ON THIRD READING RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 409 as follows:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending service allowance of certain employees and requiring contributions by school boards and vocational school boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting an-

nunities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1352) is hereby further amended to read as follows

Section 11 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each contributor by the retirement board for each school year of service as an employe as defined in section one paragraph seven of this act and for each school year or fraction thereof for which credit is not otherwise provided for in this act and during which the contributor was a member of the American Expeditionary Force in the World War or in activities connected therewith approved by the retirement board or who were either granted a commission enlisted or drafted into the Army Navy Marine Corps or the Enlisted Nurses Corps or other branch of the military forces of the United States during the Spanish-American War Mexican Punitive Expedition War World War I and World War II Provided such contributor returned to public school service within one year after separation from military service and for each school year during which the contributor was prior to the eighteenth day of July one thousand nine hundred seventeen a teacher instructor or supervisor in any state or semi-state orphan school Every school board or vocational school board shall pay into the fund the contributions required to be paid by it and in addition the amount of contributions required to be paid by every contributor employed by it for each year or fraction thereof spent in military service for which credit is acquired by such contributor under the provisions of this act Under such rules and regulations as the retirement board shall adopt each employe shall file with the retirement board a detailed statement of all such service rendered by him or her As soon as practicable thereafter the retirement board shall verify such statement as to prior service and shall issue to each employe a certificate certifying to the aggregate length of his or her prior service Such certificate shall be final and conclusive as to his or her prior service unless thereafter modified (a) by the retirement board upon application by employe or (b) by the State Superintendent of Public Instruction upon application by the employe or by the retirement board provided such application for modification be made to said State Superintendent of Public Instruction within one year after the issuance of a certificate or a modified certificate by the retirement board A certificate for prior service issued to a present employe shall certify the total number of completed years of prior service allowances for said present employe [to and including the thirtieth day of June nineteen hundred nineteen] The time during which an employe is absent without pay shall not be [counted] included in computing the prior service the total service or the average salary of a contributor unless allowed by the employer by whom said contributor was employed at the time said leave of absence was granted and further unless said allowance is approved by the retirement board or otherwise provided by law

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade,	Tarr.
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland.	Peelor,	Wade.

Chapman.	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 575, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the transfer of unneeded purchased supplies between departments boards and commissions and by making it a misdemeanor to refuse to obey a subpoena issued hereunder

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twelfth day of April one thousand nine hundred forty-five (P. L. 217) is hereby further amended to read as follows

Section 511 Sale and Transfer of Surplus Products and Unneeded Purchased Supplies All departments boards and commissions may sell for the best price obtainable but not less than the current market price for similar

products any surplus products of the soil meats livestock timber or other materials raised or grown upon or taken from property of the Commonwealth administered by such departments boards or Commissions or their by-products respectively Transfers without payment or by sale at current market price may be made of such products or of unneeded purchased supplies by and between [State institutions under the control and management of] such departments boards or commissions

As used in this section "surplus" shall mean products meats livestock timber or other materials or their by-products respectively which cannot conveniently and economically be used in connection with the proper maintenance of the institution park or other property administered by the department board or commission involved but under no circumstances shall live trees be cut for sale unless and until the Department of Forests and Waters has approved the cutting of such trees and no sales or transfers shall be made under this section by any departmental administrative board or commission without the approval of the department with which such board or commission is connected

The proceeds of the sale of any products of the soil meats livestock timber or other materials sold by any department board or commission under the provisions of this section whether publicly or to another department board or commission shall be paid into the State Treasury through the Department of Revenue and may be credited to the General Fund appropriation of the department board or commission producing the products unless the expenses of such department board or commission are paid wholly or mainly out of a special fund in which case such proceeds shall be credited to the proper special fund and may be credited to the proper appropriation or allocation To be effective the appropriation of such credits shall be specifically provided by the appropriation acts Any questions arising hereunder shall be determined by the Governor and his decision shall be certified to the Department of Revenue and the Treasury Department

Every department board or commission which sells or transfers any product of the soil meats livestock timber or other materials or unneeded purchased supplies under the provisions of this section shall keep an accurate record of the dates quantities and prices of all sales or transfers which records shall at all times be subject to audit by the Department of the Auditor General

The Executive Board shall prescribe rules and regulations prescribing the manner in which transfers shall be made and may authorize credits to be granted to appropriation acts of departments when unneeded purchased supplies are transferred under the provisions of this section [under this section]

Section 2 Section five hundred twenty of said act is hereby amended to read as follows

Section 520 Every administrative department every independent administrative board and commission every departmental administrative board and commission every advisory board and commission and the several Workmen's Compensation referees shall have the power to issue subpoenas requiring the attendance of witnesses and the production of books and papers pertinent to any hearing or investigation authorized by law before such department board commission or officer and to examine such witnesses books and papers

Any witness who without legal justification therefor refuses to obey a subpoena issued hereunder or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear [may be punished for contempt of court and for this purpose an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed for which purpose such court is hereby given jurisdiction] shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred (\$500) dollars or to undergo an imprisonment not exceeding one (1) year or both in the discretion of the court

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 663, as follows:

An Act authorizing the compromise and arbitration of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Uniform Act on Interstate Compromise and Arbitration of Inheritance Taxes"

Section 2 Definition of State As used in this act the word "State" shall mean any state territory or possession of the United States and the District of Columbia

Section 3 Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

Section 4 Compromise Agreement Filing Interest or

**Penalty for Nonpayment of Taxes** When the register of wills of any county or the Secretary of the Department of Revenue of the Commonwealth claims that a decedent was domiciled in this State at the time of his death and the taxing authorities of another state or states make a like claim on behalf of their state or states the Secretary of Revenue may with the approval of the Attorney General make a written agreement of compromise with the other taxing authorities and the executor or administrator of such decedent that a certain sum shall be accepted in full satisfaction of any and all inheritance taxes imposed by this State including any interest or penalties to the date of signing the agreement. The agreement shall also fix the amount to be accepted by the other states in full satisfaction of inheritance taxes. The executor or administrator of such decedent is hereby authorized to make such agreement. Such agreement shall finally and conclusively fix and determine the amount of tax payable to this State without regard to any other provision of the laws of this State. Unless the tax so agreed upon is paid within sixty (60) days after the signing of such agreement interest or penalties shall thereafter accrue upon the amount fixed in the agreement but the time between the decedent's death and the signing of such agreement shall not be included in computing the interest or penalties. In the event the aggregate amount payable under such agreement to the states involved is less than the maximum credit allowable to the estate against the United States estate tax imposed with respect thereto the personal representatives forthwith shall also pay to the department so much of the difference between such aggregate amount and the amount of such credit as the amount payable to the department under the agreement bears to such aggregate amount. A copy of any such agreement shall be filed in the office of the proper Register of Wills and any existing appraisal shall be deemed modified according to said agreement in the event no appraisal has been made and filed prior to said agreement the Department of Revenue shall direct an appraisal to be made and filed in the office of the proper Register of Wills in accordance with said agreement.

**Section 5 Arbitration Agreement** When the Register of Wills of any county or the Secretary of the Department of Revenue claims that a decedent was domiciled in this State at the time of his death and the taxing authorities of another state or states make a like claim on behalf of their state or states the Secretary of Revenue may with the approval of the Attorney General make a written agreement with the other taxing authorities and with the executor or administrator of such decedent to submit the controversy to the decision of a board consisting of one or any uneven number of arbitrators. The executor or administrator of such decedent is hereby authorized to make the agreement. The parties to the agreement shall select the arbitrator or arbitrators.

**Section 6 Hearings** The board shall hold hearings at such times and places as it may determine upon reasonable notice to the parties to the agreement all of whom shall be entitled to be heard to present evidence and to examine and cross-examine witnesses.

**Section 7 Powers of Board** The board shall have power to administer oaths take testimony subpoena and require the attendance of witnesses and the production of books papers and documents and issue commissions to take testimony. Subpoenas may be signed by any member of the board. In case of failure to obey a subpoena any judge of a court of record of this State upon application by the board may make an order requiring compliance with the subpoena and the court may punish failure to obey the order as a contempt.

**Section 8 Determination of Domicile** The board shall by majority vote determine the domicile of the decedent at the time of his death. This determination shall be final for purposes of imposing and collecting inheritance taxes but for no other purpose.

**Section 9 Majority Vote** Except as provided in section seven in respect of the issuance of subpoenas all questions

arising in the course of the proceedings shall be determined by a majority vote of the board.

**Section 10 Filing of Determination of Domicile and Other Documents** The Secretary of Revenue Register of Wills of the board or the executor or administrator of such decedent shall file the determination of the board as to domicile the record of the board's proceedings and the agreement or a duplicate made pursuant to section five of this act with the authority having jurisdiction to assess or determine the inheritance taxes in the state determined by the board to be the domicile of the decedent and shall file copies of such documents with the authorities that would have been empowered to assess or determine the inheritance taxes in each of the other states involved.

**Section 11 Interest or Penalties for Nonpayment of Taxes** In any case where it is determined by the board that the decedent died domiciled in this State interest or penalties if otherwise imposed by law for nonpayment of inheritance taxes between the date of the agreement and of filing of the determination of the board as to domicile shall not exceed six per centum (6%) per annum.

**Section 12 Compromise by Parties to Arbitration Agreement** Nothing contained herein shall prevent at any time a written compromise if otherwise lawful by all parties to the agreement made pursuant to section four of this act fixing the amounts to be accepted by this and any other state involved in full satisfaction of inheritance taxes.

**Section 13 Compensation and Expenses** The compensation and expenses of the members of the board and its employes may be agreed upon among such members and the executor or administrator and if they cannot agree shall be fixed by any court having jurisdiction over probate matters of the state determined by the board to be the domicile of the decedent. The amounts so agreed upon or fixed shall be deemed an administration expense and shall be payable by the executor or administrator.

**Section 14 Reciprocal Application** The provisions of this act relative to arbitration shall apply only to cases in which and so far as each of the states involved has a law identical or substantially similar to this act.

**Section 15 Estates Affected** The provisions of this act shall apply to estates of decedents dying before or after its enactment.

**Section 16 Repealer** The act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 815) entitled "An act to add section forty-three of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. five hundred twenty-one) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' authorizing compromise of tax claims in cases where there is a dispute as to the domicile of the decedent" is hereby repealed.

**Section 17 Effective Date** This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all Senators having voted "aye" the question was determined in the affirmative.  
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,  
The Senate proceeded to the third reading and consideration of Senate Bill No. 688 as follows:

An Act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" establishing one procedure for changing altering or establishing the width lines locations or grades of State highways in townships and boroughs and incorporated towns

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred ten of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" as amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 677) is hereby further amended to read as follows

Section 210 Relocation etc Abandonment as State Highway Vacation The secretary is hereby empowered to change alter or establish the width lines location or grades of any State highway or any intersecting road in any township borough or incorporated town in such manner as in his discretion may seem best in order to correct danger or inconvenience to the traveling public or lessen the cost to the Commonwealth in the construction reconstruction or maintenance thereof After the relocation has been opened to traffic the secretary by notice to the local authorities shall abandon as a State highway route or vacate the section of highway between the termini of the relocation Where the new route in the judgment of the secretary supplies and takes the place of any part of the old highway and such part is of a length of not more than two miles the secretary being of the opinion that such part is unnecessary for public use and travel or burdensome or dangerous and having due regard for the convenience of access to the new highway by the owners of property abutting on such part may at any time by written order declare such part to be vacated Thereafter the part so vacated shall be closed to public use and travel and shall no longer be a public road Before any change or order of vacation is made the secretary shall first submit a plan of the proposed change [and] or any proposed order of vacation duly acknowledged to the Governor and the same shall be approved by him and filed as a public record in the office of the department and a copy thereof shall be recorded in the office for the recording of deeds in the proper county at the expense of the department in a plan book or books provided by the

county for that purpose The approval of such plan or plans by the Governor shall be considered to be the condemnation of an easement for highway purposes from all property within the lines marked as required for right of way and the condemnation of an easement of support or protection from all property within the lines marked as required for slopes All plans or order so approved filed and recorded shall indicate the names of the owners or reputed owners of the land affected by taking or vacation and of lands abutting the same It shall be the duty of the recorder of deeds of each county to provide a plan book or books for the recording of such plans and orders and to maintain an adequate locality index for the same

Section 2 Section five hundred eleven of said act as amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 680) is hereby further amended to read as follows

Section 511 Changing etc Width Grades or Lines of Highways [Whenever in the construction reconstruction maintenance and repair of any State highway within the limits of any borough or incorporated town it shall appear to the secretary that any part or portion of such State highway within the borough or incorporated town is dangerous or inconvenient to the traveling public in the present location either by reason of width grades dangerous turns or other local conditions or that the expenses of the Commonwealth in the construction or maintenance and repair thereof would be too great or unreasonable and could be materially reduced or lessened the] The secretary with the approval of the Governor may in accordance with the provisions of section two hundred ten of this act change alter or establish the location width grades or lines of any [such] State highway or intersecting road or street in a borough or incorporated town before or after construction reconstruction or improvement of the same not however exceeding the maximum width fixed by law for public roads

[Whenever the secretary shall change alter or establish the width grades or lines of any State highway within a borough or incorporated town he shall cause a plan thereof to be made showing the line of State highway and the changes thereon and shall attach thereto his acknowledgment Such plan and acknowledgment shall be recorded in the office of the recorder of deeds of the proper county in the book kept for such purposes by the recorder of deeds All costs of the recording shall be paid by the county]

All damages resulting from a change of width or of existing lines and locations under the provisions of this section shall be ascertained and paid as provided in Article III of this act

Whenever the secretary shall change alter or establish the widths grades or lines of any State highway within a borough or incorporated town it shall not be necessary to submit the plans therefor to the county commissioners for approval unless responsibility for the property damages is to be assumed by passage of a proper resolution of the county commissioners Borough councils by passage of a proper ordinance may adopt the plan of the department as and for the action of the borough in establishing the widths lines grades and drainage structures as shown thereon and in such event the borough shall be responsible for settlement and payment of the resultant property damages of the borough may enter into an agreement with the secretary subject to the terms of a resolution of the borough council authorizing the same whereby the borough will pay the resultant property damages in whole or in part upon such terms as may be agreed upon with the secretary

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto havin been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## THIRD READING CALENDAR

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 312, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating the State Board of Chiropractic Examiners and defining its powers and duties

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 313, on third reading, entitled:

An Act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners providing for the granting suspension and revocation of licenses issued by the board conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration House Bill No. 394, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the fiscal year and the date for meetings budgets taxation audits and reports changing the compensation of supervisors and auditors increasing compensation for attending conventions of county associations changing permissible payments to secretaries of county associations and payments of dues by townships to state associations and the expense allowance of delegates providing for appointment of policemen authorizing police pension annuities to widen deepen and embank water-courses to employ township managers and certified public accountants to regulate the election of supervisors in certain cases providing for the levy of taxes for fire protection services changing the definition of volunteer firemen for workmen's compensation insurance purposes the method of advertising for bids the limitation on taxes for fire hydrant purposes the requirements for street and road improvements and the vote of supervisors required for zoning changes and clarifying and revising certain provisions of said act

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, lines 5 and 6, by striking out the following "by changing the fiscal year and the date for meetings budgets taxation audits and reports"; Amend section 3, page 6, line 1, by striking out the figure "518"; Amend section 3, (section 518) page 6, by striking out all of line 3 to 11 inclusive; Amend section 4, page 7, by striking out all of lines 12 to 19 inclusive; Amend section 4, page 8, by striking out of all lines 1 to 19 inclusive; Amend section 4, page 9, by striking out all of lines 1 to 5 inclusive; Amend section 5, page 9, line 6, by striking out "5 Section 547 subsection" and insert in lieu thereof the following "4 Subsection"; Amend section 5, page 9 (Section 547) by striking out all of lines 9 to 19 inclusive; Amend section 5, (Section 547) page 10 by striking out all of lines 1 to 20 inclusive; Amend section 5 (Section 547) page 11 by striking out all of lines 1 to 19 inclusive; Amend section 5 (Section 547) page 12 by striking out all of lines 1 to 19 inclusive; Amend section 5 (Section 547) page 13 by striking out lines 1 and 2; Amend section 6, page 14, line 12 by striking out the figure "6" and insert in lieu thereof the figure "5"; Amend section 7, page 15, line 15 by striking out the figure "7" and insert in lieu thereof the figure "6"; Amend section 8, page 18, line 6 by striking out the figure "8" and insert in lieu thereof the figure "7"; Amend section 9, page 21, line 17 by striking out the figure "9" and insert in lieu thereof the figure "8"; Amend section 10, page 23, line 6 by striking out the figure "10" and insert in lieu thereof the figure "9"; Amend section 11, page 27, line 4 by striking out the figure "11" and insert in lieu thereof the figure "10"; Amend section 12, page 28, lines 8, 9 and 10 by striking out all of lines 8 and 9 and the part word and figures "tions 909" and insert in lieu thereof "Section 802, clauses (4) and (5) of Section 905 and Sections"; Amend section 12, page 32, by striking out

all of lines 18 to 20 inclusive; Amend section 12, page 33, by striking out all of lines 1 to 19 inclusive; Amend section 12, page 34, by striking out all of lines 1 to 11 inclusive; Amend section 12, (Section 905) page 34, by striking out all of lines 18 to 20 inclusive; Amend section 12, (Section 905) page 35, by striking out all of lines 1 to 20 inclusive; Amend section 12, (Section 909) page 37, by striking out all of lines 3 to 13 inclusive.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration House Bill No. 399, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing the change of the fiscal year by districts of the second class The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 subsection (b) of section four hundred one section six hundred seventy-one and subsection (a) of section six hundred seventy-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 401 beginning of school year organizations meetings \* \* \* \*

(b) in all school districts of the second third and fourth class except as hereinafter provided the school year shall begin on the first Monday of July of each year and the school directors shall meet and organize annually on the first Monday of December

Section 671 Fiscal Year In all school districts of the second third and forth class the fiscal year shall begin on the first Monday of July in each year Provided That in order to conform to the provisions of existing law requiring school taxes in cities of the second class A to be included in the same statement as taxes of political subdivisions which levy their taxes on the basis of the calendar year the board of school directors of any district of the second class may by resolution adopted by two-thirds vote of the members thereof at a meeting of the board after not less than ten days' notice of the fact that such resolution would be presented for action at such meeting fix the fiscal year of such school district so as to begin on the first day of January in each year instead of on the first Monday of July as hereinabove provided

Section 672 Tax Levy Limitations (a) In all school districts of the second third and fourth class all school taxes shall be levied and assessed by the board of school directors therein during the month of April or May each year for the ensuing fiscal year except in districts of the second class where the fiscal year begins on the first day of January in which the school taxes shall be levied and assessed during the month of October or November of

each year In school districts of the second class the tax rate shall not exceed twenty mills on the dollar and in school districts of the third and fourth class shall not exceed twenty-five mills on the dollar on the total amount of the assessed valuation of all property taxable for school purposes therein each school district of the second third or fourth class may also collect a per capita tax on each resident or inhabitant of such district over twenty-one years of age as herein provided

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Taliman,	Yosko,
Frazier,	McPherson, Jr.,		

### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 460, on third reading, entitled:

An Act to reenact amend and revise the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto"

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 478, as follows:

An Act to further amend section one thousand four hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the

Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" further defining the right of the Department of Revenue to release liens for taxes interests penalties and other accounts due the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 794) is hereby further amended to read as follows

Section 1401 Liens of Taxes Interest Penalties and Other Accounts Due to the Commonwealth All State taxes imposed under the authority of any law of this Commonwealth now existing or that may hereafter be enacted and unpaid bonus penalties and all public accounts settled against any corporation association or person including interest thereupon shall be a first lien upon the franchises and property both real and personal of such corporation association or person from the date of settlement and whenever the franchises or property of a corporation association or person shall be sold at a judicial sale all taxes interest bonus penalties and public accounts due the Commonwealth shall first be allowed and paid out of the proceeds of such sale before any judgment mortgage or any other claim or lien against such corporation association or person Provided however Where the lien of a ground rent mortgage or other lien created by or entered against a predecessor in title to such corporation association or person is discharged by a judicial sale the lien of the Commonwealth shall be transferred from the property sold to the fund realized from the sale and the purchaser shall take free of the lien of the Commonwealth notwithstanding that the fund may be insufficient to pay all or any part of the same and on distribution of the fund the Commonwealth's lien shall be postponed in

payment to said lien or liens created by or entered against such predecessor in title but shall not be postponed in payment to local taxes or municipal claims Provided further That the Department of Revenue with the approval of the Attorney General and Auditor General may release from the lien of such taxes such part or parts of the real property of any corporation as may be requested by such corporation or owners or lien creditors thereof upon payment of such proportionate part of the taxes due as the value of the real property released bears to the value of all the property bound by such lien except in cases where the value of the real property requested to be released is less than the proportionate share of the taxes due then upon payment of such portion of the taxes due as may be deemed equitable by the Department of revenue with approval of the Attorney General and Auditor General not exceeding however the value of the real property requested to be released and the department shall furnish the person or corporation paying such tax with a certificate showing the property released which certificate may be recorded in the office of the recorder of deeds of the county in which the land lies But the lien of transfer inheritance taxes shall be limited to the property chargeable therewith and unless such taxes shall be sued for within five years after they are due they shall cease to be a lien as against any purchaser of real estate

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 536, as follows:

An Act to add section two thousand five hundred eleven point one to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the law relating thereto" by providing for annual payments by the Commonwealth to school districts erecting or sharing in the erection of a building or buildings or providing educational facilities under provisions of the State Public School Building Authority Act and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after section two thousand five hundred eleven thereof a new section to read as follows

Section 2511.1 Payments on account of obligations to state public school building authority The Commonwealth shall pay annually to school districts erecting or sharing in the erection of a building or buildings or providing educational facilities under the provisions of the State Public School Building Authority Act an amount to be determined by multiplying the district's standard reimbursement fraction by fifty one-hundredths (50-100) and by the annual rental charge as fixed by the State Public School Building Authority The standard reimbursement fraction used for the above purpose shall be the actual fraction as determined by the Department of Public Instruction as provided in clause (6) of section two thousand five hundred one of the act to which this is an amendment without reference to the minimum value of such reimbursement fraction

Payments to a school district shall be determined and approved by the Department of Public Instruction The amount so approved shall be included in and be payable from any future appropriations made to the Department of Public Instruction during the term that a lease exists between the school district and the Authority or so long as such school district is indebted to the Authority under said lease

Section 2 The sum of five hundred thousand dollars (\$500,000) or as much thereof as shall be necessary is hereby appropriated to the Department of Public Instruction for the purpose of carrying out the provisions of this act

Section 3 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 557, as follows:

An Act to prohibit the killing of red foxes by certain methods in Chester County and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be unlawful for any person to shoot or trap or snare or poison any red fox within the limits of Chester County

Section 2 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the county shall for the first offense be sentenced to pay a fine of not more than five dollars and for each subsequent offense a fine of not less than ten nor more than fifty dollars

Section 3 Nothing in this act shall be construed to prevent any person or persons from shooting a red fox or foxes destroying their property

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 628, as follows:

An Act to amend section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by excluding from the definition "roadside menagerie" any animal exhibition at a county fair or any such exhibition when sponsored by any sportsmen's organization with the approval of the Pennsylvania Game Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows:

Section 417 Permits for Roadside Menageries The commission may grant permits for roadside menageries which are hereby defined as any place where one or more wild animals are kept in captivity upon any street or highway or upon land public or private adjoining any street or highway or upon land public or private in the vicinity of

any commercial establishment for the evident purpose of exhibition or attracting trade

The term "roadside menagerie" shall not include the exhibition of any animal by any educational institution or in any zoological garden or in connection with any county fair theatrical exhibition [or] circus or any such exhibition which sponsored by any sportsmen's organization with the approval of the Pennsylvania Game Commission. The term "wild animal" as used in this section shall mean any animal wild by nature as distinguished from the common domestic animals whether or not such animal was bred or reared in captivity.

No permit shall be granted by the commission until it is satisfied that the provisions for housing and caring for such wild animals and for protecting the public are proper and adequate and in accordance with the standard therefor established by the commission.

The commission shall adopt and enforce rules and regulations for the housing care treatment feeding and sanitation of wild animals kept in roadside menageries and for the protection of the public from injury by such wild animals.

It is unlawful for any person to keep any wild animal in captivity upon any street or highway or upon land public or private adjoining any street or highway or upon land public or private in the vicinity of any commercial establishment for exhibition or the evident purpose of attracting trade or to have any wild animal in his custody or control for such purpose unless a permit has been issued by the commission.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz,	Meade,	Tarr.
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 665, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the furnishing of free transportation or board and lodging in certain boroughs and reimbursement by the Commonwealth therefor and validating Commonwealth reimbursements heretofore made.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred twelve

clause (5) of section one thousand three hundred thirty and sections one thousand three hundred thirty-one and two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1312 Free transportation where schools closed in [fourth and third class districts in townships] certain districts in any district of the fourth class or any district of the third class which is located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile elementary school pupils who resides within that part of the school district last served by any elementary school closed since the first Monday of July one thousand nine hundred seven or within a district all of whose schools have been closed or who are assigned to a training school of a state teachers' college and reside one and one-half miles or more from the school to which they are assigned shall be furnished proper transportation at the expense of the district to and from the elementary school to which they are assigned.

Section 1330 Exceptions to compulsory attendance the provisions of this act requiring regular attendance shall not apply to any child who

\* \* \* \* \*

(5) Except in districts of the fourth class and those of the third class located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile resides two miles or more by the nearest public highway from any public school in session and no proper free transportation is furnished to such child to and from school.

Section 1331 Free transportation or board and lodging in case there is no public school with the proper grades in session within two miles by the shortest public highway of the residence of any child in a school district of the fourth class or in a township which is a school district of the third class or in a borough which has a population of less than five hundred (500) inhabitants to the square mile and which is a school district of the third class such child shall be furnished proper transportation at the expense of the school district to and from a school with the proper grades when it is not feasible to provide such transportation the board of school directors may in lieu thereof with the approval of the department of public instruction pay for suitable board and lodging for any such child.

Section 2541 Payments on account of pupil transportation school districts shall be paid by the Commonwealth for every school year on account of pupil transportation which and the means and contracts providing for which have been approved by the Department of Public Instruction in the cases hereinafter enumerated an amount to be determined by multiplying the cost of approved reimbursable pupil transportation incurred by the district by the district standard reimbursement fraction in addition thereto the Commonwealth shall pay to school districts which own their own vehicles an annual depreciation charge of ten per centum (10%) to be calculated on the basis of the certified cost at which the district acquired the vehicle for which depreciation is claimed.

Such payments for pupil transportation shall be made in the following cases

(1) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile for the transportation of elementary school pupils residing within any part of the district last served by any elementary school closed since the first Monday of July one thousand nine hundred seven or within a district all of whose

schools have been closed or who are assigned to a training school of a State Teachers' College and in each case who reside one and one-half (1½) miles or more from the school to which they are assigned

(2) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest school in session

(3) To all school districts for the transportation of physically or mentally handicapped children regularly enrolled in special classes approved by the Department of Public Instruction or enrolled in a regular class in which approved educational provisions are made for them

(4) To all school districts for pupils transported to and from approved consolidated elementary schools or approved consolidated junior high schools or approved joint consolidated schools or approved vocational district schools

Section 2 Any Commonwealth reimbursement heretofore made on account of pupil transportation to any borough having a population of less than three hundred inhabitants to the square mile which is a school district of the third class is hereby validated notwithstanding that the same may have been done without previous authority of law

Section 3 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 668, as follows:

An Act to amend sections two and three of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" by authorizing direct purchases in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and three of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" are hereby amended to read as follows

Section 2 Each member and the principal officers and employees of the Legislature shall also be entitled to receive the stationery and supplies necessary for their official use also such printed or engraved official stationery as may be necessary for the conduct of their offices and to carry out this provision the chief clerks of the respective Houses are hereby authorized when requested in writing so to do from a Senator Member or principal officer of the Legislature to requisition the Department of [Public Printing and Binding] Property and Supplies for the official stationery herein authorized properly printed or engraved in such quantities as he may deem necessary The chief clerks of each respective branch of the Legislature shall also have the authority to order such official stationery properly printed or engraved from the Department of [Public Printing and Binding] Property and Supplies as may be necessary for the use of the employees and committees of each House

Section 3 The chief clerk of each House shall be the custodian of all stationery and supplies and shall have authority to requisition the [Board of Public Grounds and Buildings] Department of Property and Supplies from time to time for such stationery and supplies as will be necessary for each House including members officers employees committee and office work

All purchases for the use of either House or the members officers employees committees or office work thereof that are paid for out of money appropriated to such House shall be made by direct purchase by the Secretary or Chief Clerk of such House with the approval of the Speaker or President Pro Tempore thereof and not through the Department of Property and Supplies unless purchase by the department is specifically requested by such officer of the House for which the purchase is made

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 695, as follows:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-seven (P. L. 318) entitled "An act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation of such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws" by prescribing educational and experience qualifications necessary for right to take examination providing for the issuance of licenses as certified public accountants to experienced persons under certain circumstances and regulating use of the word "certified" or any abbreviation thereof or its initial letter

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (1) and (2) of section three and section four of the act approved the twenty-sixth day of May one thousand nine hundred forty-seven (P. L. 318) entitled "An act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation of such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws" are hereby amended to read as follows

Section 3 General Powers of the Board The Board shall have the power

(1) To provide for and to regulate the issuance of certificates [to certified public accountants] and to issue upon passing the examination required by the board and meeting the educational and experience requirements provided herein [except as otherwise provided herein] a certificate of certified public accountant to any person of good character and repute if such person resides or is engaged in public accounting in this Commonwealth is a citizen of the United States is at least twenty-one years of age and speaks and writes the English language [and meets any of the experience requirements hereinafter specified]

(2) To prescribe the subject manner time and place of examination for the certificate of certified public accountant and to collect fees for such examination [and to issue certificate to such persons as pass examinations] Provided That an examination shall be held at least [once] twice in each calendar year and simultaneously in at least two counties of the Commonwealth and shall be a written examination in commercial law as affecting public accounting and in general accounting including theory of accounts accounting practice auditing and taxation The board may use the examination service of the American Institute of Accountants

Section 4 Educational and Experience Requirements [A certificate of certified public accountant shall not be issued to any person until the board shall be satisfied that he has complied with one of the following experience requirements by serving

(1) At least two years in the office of a certified public accountant or an accountant in public practice or (2) at least two years in public practice as an accountant or as a member of a firm of accountants so engaged]

No person shall be issued a certificate of certified public accountant until the board shall be satisfied that he has completed a four year high school course of its

equivalent and has complied with the following additional requirements

(1) At least three (3) years of public accounting experience of a caliber satisfactory to the board or (2) in the case of a graduate of a college or university approved by the State Council of Education giving a four year course at least two (2) years of public accounting experience of a caliber satisfactory to the board

The board may in its discretion issue a certificate to any honorably discharged veteran who shall have served in the armed forces of the United States during any period of World War II prior to the termination of hostilities as declared by the President of the United States and who has qualified to sit for examination under subsection (b) of section eight and has passed without regard to his compliance with [either of] the educational and experience requirements prescribed [herein] in this section

Nothing contained in this section shall be construed to prevent any person from taking an examination before he has complied with either of the experience requirements prescribed herein

Section 2 Said act is hereby amended by adding after section four a new section to read as follows

Section 4.1 Certificates to experienced accountants anything in this act to the contrary notwithstanding in lieu of the education and examination requirements established by this act the board may accept in the case of applicants who have reached the age of forty years evidence of fifteen years' experience in the intensive application of accountancy principles and auditing procedures upon approval of any such application the board shall issue the applicant a license upon payment of the fee fixed by the department

Section 3 Subsection (6) of section five of said act is hereby amended to read as follows

Section 5 Reciprocal Certificates

\* \* \* \* \*

(6) His [accounting] education and experience is substantially equivalent to the requirements of this act for issuance of a certificate as a certified public accountant in this Commonwealth

Section 4 Section twelve of said act is hereby amended by adding at the end thereof a new subsection to read as follows

Section 12 Unlawful Acts

\* \* \* \* \*

(g) Except as prescribed in subsection (a) in respect of certified public accountants it is unlawful for any person to use a title including the word "certified" as a part thereof for the practice of any type of bookkeeping accounting auditing tax or other professional practice related thereto or to use any abbreviation of the word "certified" or its initial letter in such a manner

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barrett,	Haluska,	Meade,	Tarr,
Berger,	Hare,	Pechan,	Wade,
Blass,	Holland,	Peelor,	Wagner,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
Doehla,	Letzler,	Snowden,	Wood, L. H.,
Donlan,	Lord,	Stevenson,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—8

Barr,                   Geltz,                   Neff,                   Taylor,  
DiSilvestro,       Mahany,               Stiefel,              Toole,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.  
Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL DROPPED FROM CALENDAR

Mr. WALKER. Mr. President, I move that House Bill No. 755, on third reading, entitled:

An Act to reenact and amend the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1476) entitled "An act authorizing the Joint State Government Commission to study the educational facilities and needs of the citizens in certain educational fields the financing adminstraton and other features of collegiate institutions prescribing the powers and duties and making an appropriation" by authorizing continuation of the study and reappropriating unexpended balance

be dropped from the Calendar.  
Mr. HARE. Mr. President, I second the motion.  
On the question,  
Will the Senate agree to the motion?  
(A voice vote having been taken the question was determined in the affirmative.)

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 772, on third reading, entitled:

An Act to further amend subsection (b) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by making further provision for the compensation of judges inspectors clerks and machine inspectors at primaries and elections in counties of the fifth class

go over in its order, temporarily.  
The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order.  
The Senate proceeded to the third reading and consideration of House Bill No. 809, as follows:

An Act to amend section one of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by exempting from the provisions of said act explosives stored and used in connection with coal mines and coal mining operations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" at last amended by the act approved the twenty-seventh day of April one thousand nine hundred thirty-nine (P. L. 34) is hereby further amended to read as follows

Section 1 Be it enacted &c That no person shall manufacture process store or have in his possession any explosives in this Commonwealth until all requirements of this act have been complied with Provided That nothing contained in this act shall be construed to apply to the storage and actual use of explosives in [legitimate and lawful] or in connection with anthracite and bituminous coal mines and coal mining operations or clay or shale mining operations or in the operation of stone or rock quarries or in agricultural work or to the military and naval forces of the United States or to the transportation of explosives upon vessels or railroad cars when in conformity with the rules of the Interstate Commerce Commission

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.  
On the question,  
Shall the bill pass finally?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.  
Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 814, as follows:

An Act fixing the fees and mileage of the coroner in counties of the sixth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees to be received by the coroner of each county of the sixth class shall be as follows For viewing a dead body seven dollars fifty cents summoning and qualifying inquest drawing and returning inquisition five dollars summoning and qualifying each witness sixty-five cents to be paid out of the goods chattels lands or tenements of the slayer (in cases of murder or manslaughter) if any he hath if otherwise by the county with mileage at the rate of ten cents for each mile circular traveled from the court house to the place of viewing the body executing any process or writs of any kind

the same fees as are allowed to the sheriff and the same mileage

Section 2 Section XIX of the act approved the twenty-eighth day of March one thousand eight hundred fourteen (P. L. 352) entitled "An act establishing a Fee bill" as amended by the act approved the seventh day of April one thousand nine hundred twenty-seven (P. L. 168) is hereby repealed as to counties of the sixth class

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 872, as follows:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by providing for annual assessments abolishing triennial assessments providing for fixing of salaries of subordinate assessors limiting notices of assessments to person the value of whose property or personal assessment has been changed or has not previously been separately made and making assessments applicable to taxation for institution district purposes and providing for the preparation of duplicates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three four five six and seven of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the

county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" section four of which was repealed in so far as it limited the compensation of subordinate assessors by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1308) are hereby amended to read as follows

Section 3 It shall be the duty of said board in each county to which this act applies to make and have supervision of the making of [all] annual assessments of persons property and occupations now or hereafter made subject to assessment for taxation for county borough town township school [and] poor and institution district purposes The making of triennial assessments as provided by existing law is hereby abolished

Section 4 The said board shall divide the county into convenient districts which it may change as occasion may require and shall appoint subordinate assessors for said districts The subordinate assessors shall receive such compensation as the salary board shall fix [not exceeding two thousand dollars per annum] which salaries shall be paid out of the county treasury The said board shall also have the right to appoint an engineer or engineers and such clerks at such salaries as the salary board of the county may allow for the proper discharge of the duties of said board which salaries shall be paid out of the county treasury

Section 5 The said board may prescribe rules and regulations for the conduct of said subordinate assessors determine when precepts shall be issued to them and when they shall make returns to said board [both in triennial and intermediate years]

Section 6 The [field] subordinate assessors shall make the [triennial] annual assessment of all property and persons taxable upon occupations subject to assessment for taxation for aforesaid purposes together with a list of all persons subject to a school per capita tax or a poll tax within their respective districts and in so doing shall view all properties in their district taxable for said purposes and shall make a personal house to house canvass for their district in order that the lists of persons taxable upon occupation or subject to a school per capita tax or poll tax may be accurate and correct insofar as it is possible to make them They shall also have and possess except as modified by this act the same powers and perform the same duties and be subject to the same liabilities as are now or shall hereafter be conferred or imposed upon borough ward town and township assessors with respect to making assessments and valuations for taxation purposes All such assessors who shall fail to make assessments and lists in the manner herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and in default of the payment of such fine and costs to undergo an imprisonment not exceeding ninety days

Section 7 The said board shall before the first day of November examine and revise the said [triennial] annual assessments and valuations increasing or decreasing the same as in their judgment may seem proper and shall add thereto and assess such property or persons taxable upon occupations as may have been omitted and may also add thereto the names of any persons subject to a school per capita tax or poll tax as may have been omitted [After such revision the board shall fix convenient times for the hearing of appeals on said assessments and valuations and after the hearing of said appeals and the making of whatever changes may be considered proper the valuations as so ascertained and devised unless changed in the manner hereinafter provided shall stand as the assess

ments for taxation for the aforesaid purposes until the next triennial assessment]

The board shall before the first day of December prepare an assessment roll or list of persons and property subject to local taxation together with the value placed upon each person each parcel or tract of real property and the personal property of each person The board shall at the same time prepare a list of all property exempted by law from taxation

Section 2 Section eight of said act as amended by the act approved the twelfth day of April one thousand nine hundred thirty-five (P. L. 27) is hereby further amended to read as follows

Section 8 [It shall be the duty of said board to give notice by advertising in one or more newspapers printed in such county at least three weeks before the day of appeal of the time and place fixed for such appeal It shall also be the duty of the said board to give written or printed notice as hereinafter provided at least five days before the day of the appeal to every taxable property owner within such county of the amount or sum for which his property is assessed and of the time and place of such appeal]

(a) The assessment roll shall be open to public inspection at the office of the board at the county seat during ordinary business hours of each business day from the time of completion to and including the first day of January Upon completion of the assessment roll the board shall give notice by publication once in one or more newspapers published in the county that such assessment roll has been completed and the place and times when such roll will be open for inspection and shall in the same notice state that any person desiring to appeal from any assessment shall file with the board on or before the first day of January an appeal in writing designating the assessment appealed from

(b) Upon completion of the assessment roll but in no event later than the first day of December the board shall cause to be mailed to each owner of property or person assessed the value of whose property or personal assessment has not theretofore been separately fixed or the value of whose property or personal assessment has been changed from that finally fixed in the preceding assessment roll at his last known address a notice of such change and the amount of the old assessment if the property or personal assessment was previously separately assessed and the amount of the new assessment Such notice shall state that any person aggrieved by any assessment may appeal to the board for relief by filing with the board on or before the first day of January an appeal in writing designating the assessment or assessments by which such person is aggrieved and the address to which notice of the time and place for a hearing of the appeal shall be mailed

(c) Any person aggrieved by any assessment whether or not the value thereof shall have been changed since the preceding annual assessment may appeal to the board for relief Any person desiring to make an appeal shall on or before the first day of January file with the board an appeal in writing setting forth

(1) The assessment or assessments by which such person feels aggrieved

(2) The address to which the board shall mail notice of the time and place of hearing

(d) On the first Monday of January the board shall meet for the hearing of appeals and shall continue to meet for such purpose from time to time until all appeals have been heard and acted upon All appeals shall be heard and acted upon not later than the first day of March The board shall notify each person who has filed an appeal of the time and place of hearing on said appeal by depositing such notice in the mail addressed to such person at the address designated in the appeal not later than the tenth day preceding the day designated in the notice for such appearance Any person who shall fail to appear for hearing at the time fixed shall be conclusively presumed to have abandoned his appeal

(e) When the board has completed the hearing of ap-

peals and has in each case entered its order it shall make such changes in the assessment roll as will make it conform to such orders when such corrections have been made the chief assessor shall prepare three copies of the assessment roll and deliver them on or before the seventh day of May with his certificate that they are a true copy of the original assessment roll to the following

(1) One copy to the Chief Clerk of the County Commissioners

(2) One copy of such portion of the roll as contains the assessment of persons or property within each school district to the Secretary of the Board of School Directors of the respective school district and

(3) One copy of such portion of the roll as contains the assessment of persons or property within each city accepting the provisions of this act borough town or township to the respective city clerk borough secretary town clerk or secretary or township secretary all copies of such roll so furnished shall for all purposes be considered as originals the said copies in addition to the information required to be shown on the original assessment roll shall provide space to the right of each assessment for the entry of all taxes which may be levied thereon by the respective political subdivisions the original assessment roll as corrected after appeals shall be preserved in the office of the chief assessor or of the board and shall be open to public inspection subject to such regulations as the board may prescribe for the preservation and safekeeping of such roll

(f) On or before the first day of April the chief assessor shall certify to the clerk or secretary of each political subdivision coming within the scope of this act within the county the value of real property the value of occupations and the number of persons subject to personal taxes appearing in the assessment roll and taxable by the respective political subdivisions

Section 3 Section ten of said act is hereby repealed

Section 4 Sections twelve fifteen and eighteen of said act are hereby amended to read as follows

Section 12 after the hearing of any objections thereto and the making of any changes that may be deemed proper the valuation as so ascertained shall unless changed in the manner herein provided stand as the valuations for assessments for aforesaid purposes until [the next triennial] changed at any subsequent annual assessment

Section 15 When the said valuations and assessments have been made all taxation on real estate and personal assessments for county borough town township school purposes (except in cities) institution district and poor purposes within the limits of such county shall be based upon such valuations and assessments

Section 18 The corporate authorities of any borough town township school and poor district who may feel [grieved] aggrieved by any assessment of property or subjects of taxation for its corporate purposes shall have the right to appeal therefrom in entirety or by individual assessments to the board or to the court of common pleas or the Superior or Supreme Court in the same manner subject to the same procedure and with like effect as if such appeal were taken by a taxable with respect to his [property] assessment and in addition may take an appeal from any decision of the board or court of common pleas as though it had been a party to the proceedings before such board or court even though it was not such a party in fact

Section 5 The assessments made under the provisions of this act shall apply to taxes levied in the fiscal year one thousand nine hundred fifty-one and subsequent fiscal years and the assessments applicable to the taxes levied in the fiscal years or period prior to the fiscal year one thousand nine hundred fifty-one shall be made in accordance with the provisions of law applicable to triennial and intermediate assessments in effect at the time of the adoption of this act

Section 6 The provisions of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P L 853) entitled "An act relating to taxation

designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" are not repealed hereby except insofar as the same are consistent with the provisions hereof

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 879, as follows:

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by redefining "regulation" changing provisions governing promulgation of regulations imposing duties on the Department of State further providing for appeals to the Dauphin County Court extending the grounds for refusing to affirm adjudications of agencies requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (e) of section two of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" is hereby amended to read as follows

Section 2 Definitions The following words and terms shall have the following meanings unless the context clearly indicates otherwise

(e) "Regulation" means any rule regulation or order [in the nature of a rule or regulation generally applicable to the public promulgated by an agency authorized by statute so to do but shall not be construed to include the name or facts of any adjudication giving rise to such regulation] of general application and future effect promulgated by an agency under statutory authority prescribing the practice or procedure before such agency or interpreting or implementing any statute enforced or administered by such agency

Section 2 Section twenty-one of said act as amended by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1367) is hereby further amended to read as follows

Section 21 Regulations [All regulations of any agency which are in effect on the effective date of this act or which shall be adopted thereafter shall have no effect unless they are printed and made available upon written request within thirty days after the date of adoption] All regulations of any agency which are in effect on the effective date of these amendments or which shall be adopted prior to the first day of December one thousand nine hundred forty-nine shall expire on the first day of January one thousand nine hundred fifty unless a copy thereof certified by the executive officer chairman or secretary of the agency and approved as to legality by the Department of Justice is filed in the Department of State in such form and size as shall be prescribed by the Department of State and copies thereof are made available by the adopting agency upon written request prior to the first day of January one thousand nine hundred fifty Regulations adopted after the thirtieth day of November one thousand nine hundred forty-nine shall have no effect unless a copy thereof certified by the executive officer chairman or secretary of the agency and approved as to legality by the Department of Justice is filed in the Department of State in such form and size as shall be prescribed by the Department of State and copies thereof are made available by the adopting agency upon written request within thirty days after the date of adoption

Section 3 Said act is hereby amended by adding after section twenty-one thereof a new section to read as follows

Section 22 Permanent Record of Regulations The Department of State shall maintain a permanent record of all regulations filed with it Such record may be in the form of microfilm or other reproductions in which event the original certified and approved copies need not be retained The Department of State shall furnish certified copies of any regulation filed with it upon the payment of the charges made for certified copies of other records on file in the department The Department of State shall prepare and publish in such form and at such time or times as it shall determine an index of all regulations on file with it and periodic supplements thereto The Department of State shall have power to adopt and enforce rules governing the physical form and size of regulations to be filed with it and such other rules as it deems necessary in carrying out its functions under the provisions of this act

Section 4 Section thirty-four of said act is hereby amended to read as follows

Section 34 Adjudications Service All adjudications shall be in writing shall contain findings [and the reasons for the adjudication] of fact a discussion of the questions of fact and law involved conclusions of law and an order or decree and shall be served upon all parties or their counsel personally or by mail If service is made by mail the date of mailing shall be the date of service

Section 5 Said act is hereby amended by adding after section thirty-five thereof a new section to read as follows

Section 36 Notice to Department of Justice Before notice of any hearing leading to an adjudication is given

the agency shall submit the matter to its representative in the Department of Justice who shall pass upon the legality of the proposed action or defense

Section 6 Sections forty-one forty-four forty-five and fifty-one of said act are hereby amended to read as follows

Section 41 Appeals Any interested person may file a complaint in equity in the court of common pleas of Dauphin County to determine the legality or constitutionality of any regulation within thirty days after the service of an adjudication (or if a petition for rehearing or reconsideration is filed pursuant to statutory authority then within thirty days after service of the order of the agency refusing such petition or of the order following rehearing or reconsideration) any person aggrieved thereby who has a direct interest in such adjudication shall have the right to appeal therefrom such appeal shall be taken to the court of common pleas of Dauphin County Parties interested jointly severally or otherwise in the same adjudication may join in an appeal therefrom even though all of the interested parties do not join therein

Section 44 Disposition of Appeal The court to which the appeal is taken shall hear the appeal without a jury on the record certified by the agency After hearing the court shall affirm the adjudication unless it shall find that the same is in violation of the constitutional rights of the appellant or is not in accordance with law or that the provisions of sections thirty-one to thirty-five inclusive of this act have been violated in the proceeding before the agency or that any finding of fact made by the agency and necessary to support its adjudication is not supported by substantial evidence in view of the record or that the adjudication is arbitrary capricious an abuse of discretion or otherwise not in accordance with law If the adjudication is not affirmed the court may set aside or modify it in whole or in part or may remand the proceeding to the agency for further disposition in accordance with the order of the court

Section 45 Appellate Review The agency or any party affected by any decision of a court on a complaint in equity or an appeal from adjudication may within thirty days of the filing of such decision appeal to the Superior or Supreme Court [as in other cases]

#### [Exemptions]

Section 51 (a) None of the provisions of this act except sections twenty-one to twenty-three inclusive shall apply to proceedings before the Department of Revenue Auditor General Board of Finance and Revenue or Secretary of the Commonwealth involving the original settlement resettlement review or refund of taxes bonus interest or payments made into the State Treasury or judicial review of such proceedings The provisions of sections thirty-one to forty-five inclusive shall not apply to an adjudication of an agency from which an appeal to a court is provided by another statute or to an adjudication of an agency whose adjudication is provided by another statute as final

(b) Sections forty-one to forty-five inclusive of this act shall not apply to adjudications of the Banking Board or of the Building and Loan Board

(c) This act shall not apply to actions of the Secretary of Banking in the taking possession and liquidation of banking institutions and building and loan associations or to actions of the Insurance Commissioner in the taking possession and liquidation of insurance companies]

#### Application of Act

Section 51 (a) None of the provisions of this act shall apply to actions of the Secretary of Banking in the taking possession and liquidation of banking institutions and building and loan associations or to actions of the Insurance Commissioner in the taking possession and liquidation of insurance companies nor to the Milk Control Commission or the Pennsylvania Public Utility Commission

(b) Sections twenty-one and twenty-two of this act

shall apply to all agencies of the Commonwealth except as provided in subsection (a) of this section

(c) Sections twenty-one and twenty-two and thirty-one to thirty-five inclusive of this act shall apply to the Banking Board the Building and Loan Board the Board of Arbitration of Claims and except as provided in subsection (a) of this section to agencies whose adjudications are final under the provisions of any law

(d) All of the provisions of this act shall apply to the following agencies (1) Department of Agriculture (2) Department of State (except election cases) (3) Insurance Department (except as hereinafter provided) (4) Department of Public Instruction in so far as relates to its powers and duties in the issuance of licenses to barbers and beauty culture operators (5) Board of Property (6) State Council of Education (7) State Board of Censors (8) State Board of Medical Education and Licensure (9) State Board of Pharmacy (10) State Dental Council and Examining Board (11) State Board of Optometrical Examiners (12) State Board of Osteopathic Examiners (13) Osteopathic Surgeons' Examining Board (14) State Board of Examiners for the Registration of Nurses (15) State Board of Veterinary Medical Examiners (16) State Board of Examiners of Architects (17) State Registration Board of Professional Engineers (18) State Real Estate Commission (19) State Board of Examiners of Public Accountants (20) State Board of Private Business Schools (21) State Board of Private Academic Schools (22) State Board of Private Correspondence Schools (23) State Board of Private Trade Schools (24) Pennsylvania Securities Commission (25) State Soil Conservation Commission (26) Water and Power Resources Board (27) Flood Control Commission (28) Anthracite Mine Inspectors' Examining Board (29) Mine Inspectors' Examining Board for the Bituminous Coal Mines (30) State Bridge and Tunnel Commission (31) Pennsylvania Parkway Commission (32) Sanitary Water Board (33) State Board of Undertakers (34) State Workmen's Insurance Board (35) Industrial Board (36) State Board of Vocational Rehabilitation (37) State Welfare Commission (38) State Athletic Commission (39) State Board of Public Assistance (40) Pennsylvania Aeronautics Commission (41) State Planning Board (42) State Civil Service Commission (43) State Tax Equalization Board (44) Unemployment Compensation Board of Review and to any other agency which has been made subject to the provisions of this act by any other act of Assembly

Section 7 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representative with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

### BILL DROPPED FROM CALENDAR

Mr. WALKER. Mr. President, I move that House Bill No. 920, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for township planning and the creation organization and powers of township planning commission.

be dropped from the Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 926, as follows:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payments to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by regulating service for pensions and eligibility for pensions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause two of section nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-seven (P. L. 126) is hereby further amended to read as follows

Section 9 Any individual eligible to membership in such fund as aforesaid shall be required

\* \* \* \* \*

(2) To contribute to said fund five per centum of his rated monthly salary or wages which shall be deducted from his salary or wages by the city controller from the payroll for the last half of each month and paid into the fund All beneficiaries of the fund shall in addition thereto pay the sum of one dollar a month into the said fund and in the case of active members the city controller shall deduct said contribution from the payroll of the last half of each month and the secretary of the fund shall deduct the sum of one dollar from the pension paid each pensioner The amount so collected shall be paid into the firemen's relief and pension fund and out

of the funds of the firemen's relief and pension fund there shall be paid to the beneficiary of any deceased member of the fund the sum of one thousand two hundred dollars

When any member of the fund shall resign or be dismissed from service there shall be paid to him from the fund a sum of money equal to all dues paid by him into the fund without interest When any member of the fund shall die in active service there shall be paid from the fund a sum of money equal to all dues paid by him into the fund without interest to his widow if there be such widow or in the absence of such widow to such person or persons as he shall have designated on a form prepared and approved by the board for such purpose or in the absence of such widow and such designation to his estate When any beneficiary shall die before he has received pension payments equal in amount to his total contributions to the fund there shall be paid a sum of money equal to the difference between the amount of his said contributions and the amount he shall have received as pension payments without interest to his widow if there be such widow or in the absence of such widow to such person or persons as he shall have designated on a form prepared and approved by the board for such purpose or in the absence of such widow and such designation to his estate [Substitute employees of the bureau of fire shall be credited for pension and pay on the basis of actual days served in the bureau of fire] Regular [and substitute] employees shall serve at least fifteen days in each month and appear on both semi-monthly payrolls of said bureau of fire in said month in order to be credited for one month's service for pension under this act In the event however that such regular employee served one or more days in any month while serving as a substitute employee prior to becoming a regular employee such regular employee shall be given a full month's credit for the day or days in every month so served as a substitute providing that the dues for each month so credited are paid in full

Section 2 Section eleven of said act is hereby amended to read as follows

Section 11 Members of the fund shall be eligible to pension under said fund upon written application of such member stating his desire to withdraw from service in said city which application shall show either

(1) That such employee has rendered at least twenty years service to the said city at least one year of which was immediately prior to his application but which does not otherwise necessitate continuous service but that such service shall total twenty years and shall include and may include service in the armed forces of the United States in times of war or active service in the Pennsylvania State Militia when said militia has been mobilized for internal police duty or

(2) That such applicant while a member of the fund was injured in the line of duty and disabled through such injury that such disability continues and that the applicant is no longer entitled to payments from the city under the provisions of the Workmen's Compensation Act and its amendments Upon the approval by the board such member of the fund shall become a beneficiary thereunder

Section 3 Section twelve of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 691) is hereby further amended to read as follows

Section 12 Beneficiaries under said fund shall be rated and classified and shall be entitled to receive from the fund per month the amounts indicated in the following table to wit

Classification	Composed of	Monthly Payments
I Chief Superintendent	Bureau of Fire	\$150.00
	Bureau of Electricity	
II Deputy Chiefs	Bureau of Fire	\$130.00

Deputy Superintendents	Bureau of Electricity	
III Battalion Chiefs	Bureau of Fire	\$110.00
Chief of River Patrol	Bureau of Fire	
Chief Inspectors	Division of Fire Prevention	
Chief Wiring Inspectors	Bureau of Electricity	
IV Training School Instructors	Bureau of Fire	\$100.00
V Captains	Bureau of Fire	\$100.00
Assistant Engineers	Bureau of Electricity	
Supervisors of Construction	Bureau of Electricity	
Fire Alarm Operators	Bureau of Electricity	\$100.00
VI Lieutenants	Bureau of Fire	\$100.00
Engineers	Bureau of Fire	
Pumpmen	Bureau of Fire	
VII Drivers	Bureau of Fire	\$100.00
Electric Wiring Inspectors	Bureau of Building Inspection	
VIII Hose and Laddermen	Bureau of Fire	\$100.00
Aides	Bureau of Fire	
Assistant Engineers	Bureau of Fire	
Fire Alarm Box Inspectors	Bureau of Electricity	\$100.00
Police Box Inspectors	Bureau of Electricity	
Instrument Repairmen	Bureau of Electricity	
Battery Men	Bureau of Electricity	
Line Foremen	Bureau of Electricity	
Lineman	Bureau of Electricity	
Inspector	Bureau of Fire	
Inspector	Division of Fire Prevention	

The classification of any applicant for retirement or disability pension shall be determined as follows

(1) If the applicant has held the position he holds at the time of making the application continuously for one year or more prior thereto pension shall be granted as of the classification into which such position falls

(2) If the applicant has not held such position continuously for one year or more pension shall be granted as of the classification into which the last preceding position which he held continuously for one year or more falls whether such classification is higher or lower than the classification of the position held by applicant at the time of making the application

No application to become a beneficiary of the fund shall be filed or accepted until thirty days after the effective date of this act. It is further provided that any member making such application who thereafter withdraws the same shall not be permitted to file a new application until one year after the date of the first application

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barrett,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading consideration of House Bill No. 980, as follows:

An Act to amend sections two and thirteen of the act approved the twenty-third day of May one thousand nine hundred forty-five (P L 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" by changing license fee provisions providing for payment of fees and fines to the various municipalities and empowering burgesses to try violators

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and thirteen of the act approved the twenty-third day of May one thousand nine hundred forty-five (P L 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" are hereby amended to read as follows

Section 2 From and after a period of six months after the effective date of this act it shall be unlawful for any proprietor to conduct or operate a public eating or drinking place without first obtaining a license as herein provided. Such license shall be issued by the health authorities of cities boroughs incorporated towns and first-class townships whenever such public eating or drinking place is located in a city borough incorporated town or first-class township and in townships of the second class by the department. No license shall be issued until inspection of the premises facilities and equipment has been made by the licensor and they are found adequate to the protection of the public health and comfort of patrons. The fee for such license shall be [one dollar (\$1.00)] two dollars and fifty cents (\$2.50) and shall be paid into the city borough incorporated town or [first-class] township treasury [or to the State Treasury through the Department of Revenue depending upon the location of such public eating or drinking place]. The license shall be renewed annually.

Whenever any proprietor maintains more than one public eating or drinking place within any one city borough incorporated town or township he shall be required to apply for and procure a duplicate license for each additional eating or drinking place. The fee for each such duplicate license [to be issued at an additional charge of fifty cents (50c) for each additional public eating or drinking place within any one city borough incorporated town or township] shall be two dollars and fifty cents (\$2.50).

Section 13 Any proprietor who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding before any justice of the peace alderman or magistrate in the county in which the offense was committed or by the burgess if the violation is in a borough be sentenced to pay a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) to be paid [to said county] into the city borough incorporated town or township treasury and the costs of prosecution. Upon each subsequent conviction he shall be fined not less than twenty-five dollars (\$25.00) and costs of prosecution and in default of payment of such fine and

costs shall be confined in the county jail for a period of not more than thirty (30) days

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meads,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blam,	Molland,	Peelor,	Wade,
Chapman,	Homaher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1047, as follows:

An Act providing for the enforcement of foreign judgments by the registration thereof in the courts of this Commonwealth prescribing procedure for the obtaining of jurisdiction over the judgment debtor the raising of defenses thereto appeals therefrom and execution thereon and saving existing methods of enforcing the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

#### Section 1 Definitions As used in this act

(1) "Foreign judgment" means any judgment decree or order of a court of the United States or of any state or territory which is entitled to full faith and credit in this State

(2) "Register" means to file a foreign judgment in a court of this State

(3) "Levy" means to take control of or create a lien upon property under any judicial writ or process where-by satisfaction of a judgment may be enforced against such property

(4) "Judgment debtor" means the party against whom a foreign judgment has been rendered

Section 2 Registration of Judgment On application made within the time allowed for bringing an action on a foreign judgment in this State any person entitled to bring such action may have a foreign judgment registered in any court of this State having jurisdiction of such an action

Section 3 Application for Registration A petition for registration shall set forth a copy of the judgment to be registered the date of its entry and the record of any subsequent entries affecting it such as levies of execution payments in partial satisfaction and the like all authenticated in the manner authorized by laws of the United States or of this State and a prayer that the judgment be registered The clerk of the registering court shall notify the clerk of the court which rendered the original judgment that application for registration has been made and shall request him to file this information with the judgment

Section 4 Personal Jurisdiction At any time after registration the petitioner shall be entitled to have summons issued and served upon the judgment debtor as in an action brought upon the foreign judgment in any manner authorized by the law of this State for obtaining jurisdiction of the person

Section 5 Notice in absence of Personal Jurisdiction If jurisdiction of the person of the judgment debtor cannot be obtained a summons clearly designating the foreign judgment and reciting the fact of registration the court in which it is registered and the time allowed for pleading shall be sent by the clerk of the registering court by registered mail to the last known address of the judgment debtor Proof of such mailing shall be made by certificate of the clerk

Section 6 Levy At any time after registration and regardless of whether jurisdiction of the person of the judgment debtor has been secured or final judgment has been obtained a levy may be made under the registered judgment upon any property of the judgment debtor which is subject to execution or other judicial process for satisfaction of judgments

Section 7 New Personal Judgment If the judgment debtor fails to plead within thirty days after jurisdiction over his person has been obtained or if the court after hearing has refused to set the registration aside the registered judgment shall become a final personal judgment of the court in which it is registered

Section 8 Defenses Any defense which under the law of this State may be asserted by the defendant in an action on the foreign judgment may be presented by appropriate pleadings and the issues raised thereby shall be tried and determined as in other civil actions Such pleadings must be filed within thirty days after personal jurisdiction is acquired over him or within sixty days after the mailing of the notice prescribed in section five

Section 9 Pendency of Appeal If the judgment debtor shows that an appeal from the original judgment is pending or that he is entitled and intends to appeal therefrom the court shall on such terms as it thinks just postpone the trial for such time as appears sufficient for the appeal to be concluded and may set aside the levy upon proof that the defendant has furnished adequate security for satisfaction of the judgment

Section 10 Effect of Setting Aside Registration An order setting aside a registration constitutes a final judgment in favor of the judgment debtor

Section 11 Appeal An appeal may be taken by either party from any judgment sustaining or setting aside a registration on the same terms as an appeal from a judgment of the same court

Section 12 New Judgment Quasi In Rem If personal jurisdiction of the judgment debtor is not secured within thirty days after the levy and he has not within thirty days after the mailing of the notice prescribed by section five acted to set aside the registration the registered judgment shall be a final judgment quasi in rem of the court in which it is registered binding upon the judgment debtor's interest in property levied upon and the court shall enter an order to that effect

Section 13 Sale under Levy Sale under the levy may be held at any time after final judgment either personal or quasi in rem but not earlier except as otherwise provided by law for sale under levy on perishable goods Sale and distribution of the proceeds shall be made in accordance with the law of this State

Section 14 Interest and Costs When a registered foreign judgment becomes a final judgment of this State the court shall include as part of the judgment interest payable on the foreign judgment under the law of the state in which it was rendered and the cost of obtaining the authenticated copy of the original judgment The court shall include as part of its judgment court costs incidental to the proceeding in accordance with the law of this State

Section 15 Satisfaction of Judgment Satisfaction either

partial or complete of the original judgment or of a judgment entered thereupon in any other state shall operate to the same extent as satisfaction of the judgment in this State except as to costs authorized by section fourteen

Section 16 Optional Procedure The right of a judgment creditor to bring an action to enforce his judgment instead of proceedings under this act remains unimpaired

Section 17 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

Section 18 Short Title This act may be cited as the "Uniform Enforcement of Foreign Judgments Act"

Section 19 Repeal All act or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1052, as follows:

An Act merging and consolidating State housing with State planning merging the State Board of Housing with the State Planning Board establishing a State Planning Code and repealing certain acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "State Planning Code"

Section 2 State Planning Board The State Planning Board with which is hereby merged and consolidated the State Board of Housing shall be a departmental administrative board within the Department of Commerce and shall be deemed subject to all the provisions of "The Administrative Code of 1929" as now or hereafter amended which apply generally to departmental administrative boards

Section 3 Powers and Duties of the Board The State Planning Board shall have the power to

(1) Conduct and stimulate research and to collect compile and analyze data bearing upon all industrial commercial social and physical factors which may influence the present and future welfare of the State including industrial and agricultural productivity resources of soil minerals water and forest products population growth employment income transportation housing recreational facilities protection from floods and other natural hazards

public construction stream pollution highway protection and other fields vital to the public welfare

(2) Prepare and from time to time perfect plans or programs for the physical and economic development of the State by the State its agencies and political subdivisions Such plans or programs with any accompanying maps plats charts descriptive matter and administrative or legislative proposals shall show the board's recommendations for the development of the State and may include among other subjects plans or programs for the encouragement of industry and commerce for community development and for parkways bridges waterways port facilities flood prevention work parks reservations forests wild life refuges airports drainage or sanitary systems and works motor vehicle routes public buildings and other public works which by reason of their function size extent location or legal status are of State-wide as distinguished from merely local concern or the location construction or authorization of which falls according to law within the province of State agencies or officials and which are appropriate subjects of a State as distinguished from merely local program or plan and for the general location and extent of existing or proposed forests agricultural areas and other development areas for purposes of conservation food and water supply sanitary or drainage facilities highways protection and encouragement of urban and rural development also a land utilization program including the general classification and allocation of the land within the State amongst mineral agricultural soil conservation water conservation forestry recreational industrial urbanization housing and other uses and purposes

(3) Advise with the various State departments and bureaus and with local authorities and individuals with a view to the coordinating of all physical and economic development plans including plans for highway airway and air terminals parkways parks water supply development flood control land use recreation areas and forest reservations and such other things as are related to an ordered and comprehensive development of the State by the State its agencies and political subdivisions

(4) Prepare amend and keep up to date a long-term development program of all major State improvement projects The public works program so prepared shall be a comprehensive construction and financial program covering a long-term period and shall be prepared in consultation with the several State departments for the purpose of assisting by long-term budgeting of capital expenditures in stabilizing industry and employment by promoting the planning and timing of public works within the State and by the elimination of unplanned untimely unnecessary and extravagant projects All State departments divisions and officials shall submit their respective long-term programs and proposals for improvements for the information of the board The board shall encourage the preparation of detailed plans for construction projects by the departments boards commissions and other agencies of the State All plans for all projects as enumerated above and originating under whatsoever authority or department shall be presented to the State Planning Board for its information when first taken under consideration by such authority or department and in a preliminary form The public works program shall be revised annually for the purpose of extending it one year in the future and a report thereon shall be submitted by the board to the Governor once a year or more often if requested by the Governor It shall also be the duty of the board to promote and encourage the development of similar public works programs in the various political subdivisions of the State and to coordinate local public works programs where joint action is required

(5) Cooperate with county municipal and regional planning commissions zoning commissions park or recreation boards community development groups and similar agencies created for the purposes of aiding and encouraging an orderly productive and coordinated development of the State and encourage and assist in their creation

and also to cooperate with planning boards and similar bodies of other states and of the Federal government in formulating comprehensive regional plans and in the solution of regional problems. The board also shall cooperate with and enlist the support of civic bodies, corporations and individuals in the attainment of these and similar objectives.

(6) Collect, analyze and publish information relating to the proper economic and physical development of the State and the conservation of its natural resources and make such recommendations thereon to the Governor as it may deem proper and advisable.

(7) Study housing conditions and needs throughout the Commonwealth and devise ways and means of eliminating conditions of bad housing such as slums or unsafe unsanitary inadequate or overcrowded dwellings or a combination of these conditions accompanied and aggravated by an acute shortage of decent safe and sanitary dwellings and of securing economics in the construction or renovation of dwellings so that additional safe and sanitary houses may become available.

(8) Collect or develop and distribute information relating to housing to improve methods of construction planning and financing of housing to the administration of public housing authorities and to the construction maintenance and operation of projects by such authorities.

(9) Suggest and assist in the preparation of legislation relating to housing conditions and needs, building codes, health and sanitation standards and advise and assist municipalities in the formulation of ordinances relating thereto.

(10) Develop, administer or assist in the administration of any State program for the providing of housing.

(11) Exercise such jurisdiction and powers of supervision over housing authorities and their projects and redevelopment authorities and their projects as provided for in this act or as otherwise prescribed by law.

(12) Encourage, approve, supervise and control the organization and operation of limited dividend housing companies and their projects.

(13) Recommend or approve areas which areas may be within adjacent to or separate and apart from areas of bad housing as designated by the board within which the development of housing projects by limited dividend housing companies may be undertaken.

(14) Cooperate with local or regional housing officials, agencies or authorities as well as with those of other states and of the Federal government.

(15) Promulgate rules and regulations to enforce and effectuate the purposes of this act.

**Section 4 Eminent Domain**—The State Planning Board shall have the power in the name of the Commonwealth to exercise the right of eminent domain in the manner provided by law for the exercise of such right by cities or counties as the case may be of the same class as the city or county in which such board has approved the initiation of a project. Title to any property acquired by the board through eminent domain shall be an absolute or fee simple title unless a lesser title shall be designated in the eminent domain proceedings. If any of the real property in the area which is to be acquired has prior to such acquisition been devoted to another public use, it may nevertheless be acquired by condemnation. Provided That no real property belonging to a city, county, borough, town or township or to the Commonwealth may be acquired without its consent. No real property belonging to a public utility corporation may be acquired without the approval of the Pennsylvania Public Utility Commission.

**Section 5 Cooperation of Other Agencies**—The State Planning Board may request from the various State departments and other agencies and authorities of the Commonwealth and its political subdivisions and their agencies and authorities such available information as it may require in its work and all these agencies and authorities shall within a reasonable time furnish such requested information to the board.

**Section 6 Submission of Plans to Governor**—The board at any time may submit its plans or programs or any portion thereof to the Governor with recommendation for official approval but it shall annually submit to the Governor a report on its program and activities.

**Section 7 Investigative Powers of the Board**—The board or any member or the Executive Director thereof when authorized to do so by a majority at any meeting of the board may hold public hearings and in conducting public hearings may administer oaths and take affidavits. Each member of the board or its duly authorized agents shall have the power to make personal inspections of all places concerned in the performance of their duties.

**Section 8 Procedure and Appeal**—Allocations of the board shall be taken subject to the right of notice hearing and adjudication and the right of appeal therefrom in accordance with the provisions of the "Administrative Agency Law" approved the fourth day of June one thousand nine hundred forty-five (P L 1388) or any amendment or reenactment thereof relating to adjudication procedure.

**Section 9 Reports from Housing or Redevelopment Authorities**—The Board may require a Housing or Redevelopment Authority to file periodical reports in addition to annual reports but not oftener than quarterly covering its operations and activities. Such reports shall be in a form prescribed by the board. The board may from time to time require from such an authority or any member thereof and authorities and members are directed to give specific answers to questions upon which the board may require information in order to effectuate the purposes of this act.

**Section 10 Supervision of Members of Authorities**—If it shall appear to the board that any member or employee of a Housing Authority or of an Urban Redevelopment Authority has had any undisclosed interest in any property included in any project of such authority or in any contract for materials or service furnished to such authority, the board shall call the fact to the attention of the Attorney General that appropriate action may be taken to surcharge such member or employee.

**Section 11 Expenditure of Money**—The State Planning Board is hereby authorized and empowered to use and expend any funds coming into its hands for the purposes of this act and it is authorized and empowered to accept and use any funds provided by the United States Government or any agency thereof or of gifts made for such purposes.

**Section 12 Repeal**—The following acts and their amendments are hereby repealed:

The act approved the thirteenth day of July one thousand nine hundred and thirty-six (P L 81) entitled "An act to create a State Planning Board prescribing its powers and duties imposing certain duties upon political subdivisions and making an appropriation."

The act approved the fifth day of June one thousand nine hundred and thirty-seven (P L 1705) entitled as amended "An act to promote public health, morals, safety and welfare by providing for the supervision and encouragement of housing, creating a State Board of Housing, a departmental administrative board within the Department of [Health] Commerce providing for the organization of the board, the appointment and removal of its members, enumerating its duties and powers including the powers to conduct investigations, issue subpoenas, apply to courts for punishment of contempts, make orders, rules and regulations, prescribe forms, require reports, supervise the operations of limited dividend housing companies and housing and redevelopment authorities and their members and employees, cooperate with local officials and bodies and with the Federal Government, acquire property by eminent domain for limited dividend housing companies, commence actions to prevent violations of law and to surcharge members of authorities, supervise rental charged by limited dividend companies, charge fees for services and generally to carry out the purposes of this act providing for the selection and compensation [removal]

of the board's employes providing for appeals from its orders and making an appropriation"

All other acts or parts of acts inconsistent herewith are hereby repealed

Section 13 Effective Date—This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I should like to make some remarks applying to House Bill No. 1052, House Bill No. 1053, House Bill No. 1054, House Bill No. 1055, House Bill No. 1056, House Bill No. 1057, House Bill No. 1058, and House Bill No. 1059, known as the Pennsylvania Housing Bills.

Mr. President, today we are required, as members of the Pennsylvania State Senate to vote on a proposal for an entirely new venture for the Commonwealth — a housing subsidy.

What is it—this new plan that would have been as foreign to Pennsylvania when I first came to our Legislative Halls in 1931 as an ice floe on the southern tip of Florida.

About three weeks ago I took several children and went on a trip to find "Billie the Buck", a deer known throughout a community bordering on the north mountain in Cumberland County—tame enough to follow school children and a very interesting creature. We went west on the Sterrett's Gap road until it crossed the iron ridge. There we left the State road, followed the township road south. We traveled slowly, for the road was stoney in places and "chucky" in others. A typical mountain road. House after house we passed, perhaps a dozen in all, where just a few years ago had been a mountain thicket and the lots had been literally chopped out of the wilderness. All the houses were new within the past few years. Here veterans, recently returned from the horrors of war caused by the planned economies and resultant dictators, and mill workers with white-collar workers, and others, had again hewed out as did their forefathers another little empire of freedom. A place they and their families could call their own. Suddenly, I realized this had happened all over Cumberland County, not just on iron ridge, and as well, all over Pennsylvania.

Would I then, today, vote to take the tax money of these enterprising Americans, to subsidize others on a paternalistic plan that has never worked even though tried, time and again, in Empires and Nations which now exist only in history.

The housing legislation now before us is a perfect illustration of the basic and fundamental differences of viewpoint between the Republican Party and the New Deal.

I am not a housing expert. My experience is limited to membership on the Board of a Bank and a Savings and Loan Company, and therefore, I cannot debate the details. I have had little opportunity to examine these bills carefully. I don't know what is in them or what hidden provisions they contain.

I believe that Governor Duff thinks that he is performing a great public service in demanding enactment of these bills. I do not believe the report which has been circulated in this Senate that the real reason we have

this housing legislation before us is that U. S. Senator Myers will be campaigning for re-election on his record as a great advocate of spending the taxpayers' money on housing projects, and Governor Duff doesn't want to be outdone.

As I said before, I do not know exactly what is contained in these bills in their present form. I do know that attempts were made, when this whole project was originally suggested, to tie it into the life insurance business. I am in the life insurance business. It is common talk in life insurance circles that this legislation was planned as a subsidy to life insurance companies.

Insurance men regard this whole project as a practical joke which backfired, as some practical jokes do.

We hear that this housing program will be a great thing for the veterans of World War II. The newspapers tell us that the veterans' lobby is favorable to this legislation.

Mr. President, why not be honest about this veterans business? Thousands of veterans have borrowed money purchased lots, built small and large homes, and by hard work are paying the interest on mortgages, and are gradually paying off the principal.

Under this legislation Governor Duff proposes to permit another group—those who haven't worked quite as hard, who haven't been as frugal or had the ambition or the burning desire to own their own homes—to come in now, four years after V-J day and get a home for approximately thirty per cent less than the veteran who has built and is paying for his home.

Where is the fairness and justice in that sort of proposition?

This legislation, if enacted, will discourage the investment of private capital in home building. Why, in the name of common sense, should a man, or a bank, or an insurance company, or anyone else, put up his money to build homes with the idea of selling or leasing them, when he knows that right across the street another may be erected with the State paying thirty per cent of the cost?

Gentlemen, this legislation amounts to nothing more nor less than the confiscation of property. It amounts to nothing more nor less than state Socialism—and it is not even as good as state Socialism.

We here are asked to approve a proposition which means that one citizen of Pennsylvania can rent a place to live for \$50.00 per month, while another citizen must pay \$75.00 for the identical residence.

Are we to be Governor Duff's errand boys here in the State Senate of Pennsylvania to attempt to sell this bill of goods to our citizens?

All this, in the face of a most notable change in the real estate market which is becoming more pronounced daily. For example, I read from one of my favorite publications, "U. S. News", issue of tomorrow, April 29th, and I quote:

"So that you can get a picture of what's happening from the figures....

"On the downside you see these declines: New dwellings started per month: off 38 per cent from peak. Residential contracts: off 42 per cent."

It was 1849 and a vision had stirred the settled east! Families suddenly felt crowded by bustling seaboard cities; men are cramped in stone-walled fields. Ship-

wright and planter, merchant and manufacturer hunger for wider horizons, for fresher scenes. So covered wagons creak over the frontier, rolling it into a map behind them. A dream moved these families. Along uncharted streams they surveyed towns yet a generation in the future. In the Great American Desert they saw another empire of Freedom—and their drive helped build this nation a continent wide from sea to sea. Their courage and daring played a great part in the development of this country. They created wealth. They became known as the Forty-Niners.

We members of this General Assembly may well become known as the Nineteen Fortyliners, but for the opposite reason. This General Assembly, upon orders from Governor Duff, has done much to destroy the American way of life. We have agreed to launch the greatest spending and taxing spree in the history of Pennsylvania.

The die is cast now—the deed is done. What I have to say will not change the situation one bit.

I again want to say to this Senate that Governor Duff and I have been personal friends for several years, and so far as I am concerned we will continue to be personal friends. I do not see why we cannot remain friends even though we have very different philosophies of government.

Regardless of personalities, I cannot let this Session end without making my position clear.

Governor Duff has prevailed upon this session of the Pennsylvania Legislature to enact a very definite program of state Socialism. He has succeeded in having us pass an almost exact duplicate of the little New Deal program brought to Pennsylvania by Governor Earle in the thirties. He has forced through the emergency taxes initiated by the Earle Administration, and a bigger and better authority plan—still constitutionally questionable. He is extending the Turnpike which was authorized and built by Earle. He has out-New Dealed Governor Earle by placing a tax on children's beverages. He has borrowed the youth camp idea from a European state. He has given local government the right to tax nearly everything.

When we adjourn we all know that Governor Duff is all ready to go on a streamlined silver-streaked spending spree, to be paid for by generations yet to come. I cannot help but think that His Excellency, Governor Duff, has been influenced by others whose motives are in direct contradiction to the ideals upon which America was founded and has grown great.

Many times during this session I have heard my Democratic friends charge that the Manufacturer's Association has done this or done that to influence legislation in this Senate. I would like to say to my Democratic friends that if what has been accomplished at this session of the General Assembly is any reflection of the political power of the Pennsylvania Manufacturers' Association, they had better find themselves a new whipping boy. If anything has been done for the welfare of business and industry, large and small, the very creature that has done most for all the people of Pennsylvania, I haven't noticed it.

My party—the Republican Party—believes in the freedom of the individual. My party is against those foreign

philosophies which have, without exception, made the individual the servant of the state.

The Earle program was adopted in Pennsylvania during the depression. Those responsible may have had some justification because of the unemployment and distress throughout the State. But this spending spree is being undertaken in a period of nearly full employment. We are incurring tremendous debts to be paid back perhaps in hard times—and with interest.

Governor Duff, in his budget message, said:

"The two years ending January 1, 1949, have been the busiest and most prosperous in the history of the Commonwealth. Both income and employment have been at an all-time high."

Let's suppose that the Governor is right, and that we are enjoying great prosperity. Under what strange economic philosophy are we operating if, during a peak of prosperity, we go into debt through the authorities we have created, to the tune of 227 million dollars, to be paid back with interest when times may not be so good—when we may have to increase our appropriations for public assistance?

And while we are on the subject of going into debt, let me point out that we haven't even begun to raise money to pay for the soldiers' bonus on which the people will vote this fall.

Does the Governor or we members of the General Assembly realize that, in addition to starting to repay huge authority borrowings two years hence, we are probably going to have to raise 65 million dollars every two years beginning in 1951, to pay for the soldiers' bonus?

Where is this money coming from?

It is coming from continuation of what the State Chamber of Commerce and others call the crazy-quilt pattern of emergency and temporary general fund taxes from which we raise two-thirds of all general fund estimated revenue.

Why are we in this awful mess?

The answer is that we walked into it, or were driven into it, with eyes opened wide and with the full knowledge that we were doing wrong.

The General Assembly of 1947 created the Tax Study Committee. It directed the group to recommend to the General Assembly of 1949 "ways and means of financing the Commonwealth and its political subdivisions upon a more scientific and equitable basis and to safeguard and enhance the industrial position of the Commonwealth"

This Committee was a good committee. It consisted of Orus J. Matthews, former Secretary of Commerce, as Chairman; and Senator James A. Geltz, of Allegheny County, as Vice Chairman. The Governor appointed Frank Wilbur Main, of Pittsburgh, and Hon. Philip Sterling, of Philadelphia—two of the outstanding tax experts in Pennsylvania and in the Nation. The President Pro Tempore of the Senate appointed Senator Geltz and Senator Lloyd H. Wood. The Speaker of the House of Representatives appointed Representatives Lambert Cadwalader and Warner M. Depuy.

These men worked hard and long. They presented an intelligent program.

What happened to their report?

The Governor gave it no consideration whatever. And

the Senate of Pennsylvania gave it no consideration whatever.

We accepted the recommendations of one man in preference to the mature, scientific and objective recommendations of the leading tax authorities in the Commonwealth.

That sounds incredible.

We have inflicted upon the people of Pennsylvania once more a piecemeal, crazy-quilt program of taxation, without even considering the work of Matthews, Main, Sterling, Geltz, Wood, Cadwalader and Depuy.

History has proven without question that neither the little New Deal nor the big New Deal was able to contribute anything to the recovery of American industrial development, which had brought the world's highest standard of living to workers both skilled and unskilled, white-collar workers, farmers, professional people, management, store keepers and store owners.

Only a horrible war broke the grip of depression that had continued through all kinds of planning in government controls and artificial experimentation. That war was started by those nations who had lost their individual freedom by just the identical process we are currently experiencing in Pennsylvania, and we have been experiencing for sixteen long years on a national scale.

This administration has given the people of Pennsylvania nothing more nor less than a carbon copy of New Deal government.

Not one from the front office have I heard the words economy and efficiency.

Instead we have heard nothing but tax and borrow and spend.

The Republican voters of Pennsylvania are in the position of Isaac. I refer to Genesis, Chapter 27. You will remember that Isaac sent Esau to hunt for venison, and that while he was away Jacob, at his mother's urging, impersonated Esau and obtained Isaac's blessing.

The Republican voters of Pennsylvania may well say of Governor Duff and his administration as did Isaac of old:

"The voice is Jacob's, but the hands are the hands of Esau".

The Republican voters of Pennsylvania thought they were electing a Republican governor to give Pennsylvania Republican efficiency, Republican economy and Republican good government.

The Republican Party of Pennsylvania, under the Duff leadership, has tried to outdo the Democrats in their program of using the power to tax to destroy the people's independence and self-reliance.

The Republican Party, under Duff, has fallen to such a level that it says in effect—give us the offices, the power, and we'll give you as much of what we believe to be wrong as will the Democrats themselves.

I hope two years from now the Republican Party will face the voters as real Republicans. I hope we will undo the damage to the American way of life that has been done at this Session of the Legislature. I hope we will promise—and keep our promise—to stop the trend toward Socialism and Paternalism to which the New Deal is committed.

I hope we will have candidates who will promise to give the voters what they really want—the right to build for the future, save money, build their own homes and

enjoy a security they have earned, and not a security of the sort developed by Hitler and Stalin.

I recently read in the "Reader's Digest" an editorial from the "Omaha World-Herald". I find myself in complete agreement with this editorial which says:

"For 12 years the Republican Party has been a coward; the worst kind—a moral coward. . . . The Republican Party has lacked the courage to say what its rank and file believe."

"Out of hunger for the fleshpots it has lacked the patriotism, the loyalty, to stand up for the free Republic of the Founding Fathers and fight for it. Owing to that lack of moral courage, of loyalty to the American creed, the United States, almost the sole remaining bulwark against the advancing tide, finds itself without a spokesman, without a champion to proclaim and battle for its traditional, glorious creed. And it finds the once-so-firm foundation of its temple crumbling. . . ."

"What a wonderful thing it would be if Republican leaders could realize how desperately these United States need an honest brave Republican Party—how true Republicans above all others hunger and thirst for it! Opposition not alone to a misguided and recreant Democratic Party here at home, but opposition, tenacious and resolute, to all the monstrous wrongs that today menace freedom, self-reliance, the courage to adventure, human dignity, in every land and every clime.

"How joyously, with what reborn hope, men and women of the ancient faith of this Republic would rally about such a standard!"

Mr. WALKER. Mr. President, when the distinguished gentleman from Cumberland stated he wanted to make a few remarks about the housing program, I did not know that we were going to get a speech that flowed like the Schuylkill River. Mr. President, you know the Schuylkill River does have a little silt in it, which I would like to take out before it is too late.

First of all, Mr. President, I would like to say a few words about this housing program. Like the distinguished gentleman from Cumberland, I am not a housing expert, and I would be at a disadvantage, as is he, in attempting to discuss the technicalities involved in the bills that are before the Senate this afternoon for action.

The gentleman from Cumberland has suggested we do not need a housing program, the gentleman from Cumberland has suggested that the veterans of Pennsylvania, whose organizations unanimously endorsed the Governor's housing program when it was announced, perhaps are mistaken, that we do not need a housing program. Mr. President it is pretty easy for those of us who are veterans of the first World War, who weathered the economic depression that followed that war and lived through the problem of living with our in-laws for years until we could establish separate homes of our own, to say very blithely, we do not see any need for a housing program.

Mr. President, there are about 1,400,000 citizens of Pennsylvania who are veterans of the second World War, and a lot of the things that are occurring in Pennsylvania today, a lot of the problems that are being visited into our divorce courts, a lot of the problems that are being taken into our magistrate courts, a lot of the social service problems that are confronting the Commonwealth today are predicated on the simple problem that there

are too many young couples who are obliged to live with her or his parents, and friction results, and trouble starts, and then he says we do not need a housing program.

Mr. President, I do not know anything about Cumberland County except it is one of the grandest counties in Pennsylvania, and the folks residing there are the salt of the earth. I do not know whether Cumberland County needs a housing program or not. I have never taken the trouble to travel up and down the hills and dales and the beautiful valleys of that county, called the mother county of Pennsylvania, to find out whether or not they need it, but, Mr. President, I have covered a lot of other sections in Pennsylvania, and everywhere I have gone, there is a housing shortage, and the veterans of Pennsylvania would like to be helped out.

Mr. President, in the past eight years I have had the privilege of serving with the American Legion of Pennsylvania as the State Legislative Chairman. I also happen to be a member, Mr. President, of the Joint Veterans Council, which is an association comprised of representatives of every veteran organization in Pennsylvania, and, Mr. President, every one of those organizations has unanimously endorsed the Governor's housing program. 1,400,000 people in Pennsylvania who are looking for homes would like to have them, and, Mr. President, when this program was announced the Governor, in a message to the Joint Session of the 1947 Session of the General Assembly, very carefully said—oh, how I remember the wave of applause that rolled up when he said—"I do not want a housing program. I want to build houses, and that is the thing we are going to try to do."

Mr. President, this program has had a rocky course through this General Assembly. There have been a lot of people who, for sincere and perhaps insincere motives, have attempted to improve or monkey with this program, and at last, at long last, it has reached the Senate for determination. Mr. President, it may be that a housing expert, one who has had years of experience in the construction, the building, and the financing of houses, might stand up and point out that this is not the best program that could be presented to Pennsylvania, but, Mr. President, this is the program that is going to build houses. We are going to take these veterans out from under their in-laws and give them a chance to establish homes of their own, and, Mr. President, if that is wrong, I am willing to stand on my affirmative vote on these eight bills.

Now, Mr. President, one thing more. The gentleman from Cumberland, Senator Wade, in his few remarks, discussed the Chief Executive of the Commonwealth of Pennsylvania. He wants to know if the Senate of Pennsylvania is going to be an errand boy for the Governor. Mr. President, I cannot answer for fifty Members of this Senate, but I can answer for one. I have no hesitancy and I am proud of the fact that I am perfectly willing to follow a Chief Executive of this Commonwealth who is attempting to establish a progressive, liberal, constructive government in Pennsylvania. If that is wrong, Mr. President, then I am wrong, and I want to say to the gentleman from Cumberland, I have not been a Republican quite as long as he has, but I have been a Republican all my life, too, and, Mr. President, the Republican Party is never going to gain favor in Pennsylvania

or in the forty-eight states of the Nation if it attempts to march backward into the future.

There are certain things that must be done in Pennsylvania, and we have got a man in the front office who is trying to do them. There may be a difference of opinion in the philosophy of government of the Governor and Senator Wade, and if it is an honest and sincere difference of opinion, then the question resolves itself into this: Does the Republican Party of Pennsylvania determine to follow the leadership of the Progressive Liberal element as represented by Governor Duff, or are we going to stand still and revert to what is commonly called the old established Republican principles?

Mr. President, I can remember when we had the old established Republican principles of government, and at that time the Democratic Party was backed clear over to the last row in this Senate. There must have been something wrong with those old established principles because I remember in this Senate when it was evenly divided, twenty-five to twenty-five, between the major political parties. We may have the best philosophy of government in those old established principles, but if we do, there must be something wrong with our salesmanship, because the people of Pennsylvania evidently do not believe in it. We had no trouble at all, Mr. President, in electing a liberal progressive Governor in 1946, and because of the marvelous record Governor Duff established in Pennsylvania, he became a nation wide figure, and because of the success of his administration, because of the progressive liberal policies that the Republican Party was standing for in 1948, we were the only state in the Nation to gain ground under the Republican banner. No where else in the world did you see the Republican Party advance except in Pennsylvania, and why? Not because we marched backward, but because Governor Duff was leading us right up the hill to a progressive liberal government.

Mr. President, those are the philosophies I believe in, and I am willing to follow the gentleman from Carnegie, I am willing to concede that I will be his errand boy as long as he stands for a liberal progressive movement, as long as he is leading the Republican Party to do the things the people want done, to give the people of Pennsylvania something that they are proud of. I am willing to be his errand boy because I think in that way I will be contributing something to making this Commonwealth a better place in which to live.

Mr. President, one thing more. This housing program is being presented to the Senate not as the Duff program, but as the program of the Republican Party. Mr. President, the last thing in the world that I would want to do, when I am a candidate for re-election in 1950, would be to be obliged to campaign in my district, and not be able to boast about the things the Republican Party has given to the people of Pennsylvania.

I remember once before, Mr. President, when a Republican candidate campaigned and attempted to avoid discussing the party, and attempted to discuss individuals. The worst thing in the world to happen to the Republican Party would be to be obliged to campaign in 1950, and point with pride to the things that the Duff Administration has given to the people. That is what licked the Republican Party when they had to go out at the end of the Pinchot administration, and attempt

to deride Pinchot, and boast of the Republican Party at the same time. Governor Duff is a Republican, and he represents the progressive, liberal things that this party stands for, but if we have to go out in 1950 and campaign as a Duff candidate, the Republican Party in Pennsylvania is doomed. If we can say this as a Republican Administration, this as a Republican program, these things were performed by the Republican Party, we have a chance to keep our banners flying high. This is not a question of George Wade and Jim Duff. This is a question of the Republican philosophy of government, and I think it is about time the Republican Party was willing to be counted from a progressive liberal standpoint.

Mr. WADE. Mr. President, may I make my position more clear, if possible, than I did just a few moments ago, and I was very delighted indeed to hear the announcement of the candidacy for re-election of Senator Walker, because I want to say to the Membership of this Senate and to all who are within my hearing, that my admiration for Senator Walker is second to none. He has been a great Majority Leader of this Senate, and I am heartily in favor of, and volunteer my services to go into his District to work for, his re-election.

Then, Mr. President, secondly, before I sit down, I want to say this, that I have for some twenty-three years been a member of the American Legion, and I have, too, served on the Legislative Committee. I have been a Past Commander of a Post of the American Legion, I am a member of the Veterans of Foreign Wars, and I attended a meeting just last week of the American Legion, and twice I attempted to bring up this housing problem, and twice I realized that there was absolutely no interest among that group. It was a very substantial group, and a very representative group. As to this housing problem, they are more interested in sound fiscal government than anything else, and you know it is very easy for we who are engaged in politics, who hold public office, to blame all the ills of the family life in America, to blame all the ills of the home and of the courts and of anything else, on housing when we are talking about that particular thing at the moment. I personally do not share that opinion. I do not think the housing problem in Pennsylvania or in America is the cause of all these things. I have statistics here from Paris where 78 per cent of the homes do not have central heating in the great city of Paris, and where they have been prone to deal with this matter of housing, public housing, and where they have dropped this and taken it up again over the centuries.

Mr. President, just let me say in closing to my good friend Senator Walker that when he says he volunteers his services, and his actions indicate in the past four months that he is willing to do that, and follow Governor Duff on whatever kind of a program he may call it, liberal or whatever—and I know that he will do that because he has done it for four months, and he has done it in a very able manner—Governor Duff is not leading the way up hill. He is following the New Deal up hill or down hill, whichever you want to call it. He reminds me of one of our farmer friends over in Cumberland County, the County to which Senator Walker spoke so friendly about a few moments ago. There one of our farmers was driving along and he met a neighbor farmer, and he asked him, "How much longer must I continue on up this hill?" The neighbor promptly replied, "Brother, you

are not going up hill. You have lost your two hind wheels."

Thank you very much.

Mr. WALKER. Mr. President, I would just like to say one thing. I got so enthusiastic in my discussion of Governor Duff, but I would like to just say this to Senator Wade. He suggests that this program is New Deal. I would just like to remind him of a few New Dealers that the Republican Party must have lost recently—Senator Edward Martin, former Governor of Pennsylvania, who voted for a housing program in Washington; Congressman Scott, National Chairman of the Republican Party, who voted for a housing program in Washington; Joe Martin, former Speaker of the House, a recognized Republican leader, who voted for a housing program in Washington; and Robert Taft, who, perhaps, represents what might be called the conservative side of the Republican Party, who voted for a housing program in Washington.

Mr. President, I am happy to line up with those New Dealers.

Mr. HALUSKA. Mr. President, it seems to me now that the 1950 campaign is officially opened. The gentleman from Allegheny is running for re-election, and rightfully so, and the gentleman from Cumberland, to my mind, has all but announced his candidacy for Governor. We hope that he is a candidate on that program, upon that speech which he gave this afternoon.

Mr. President, the gentleman from Cumberland, Senator Wade, speaks of the New Deal, and Governor Duff's program on the Soldiers' Bonus. I want to say very briefly, Mr. President, that I must take issue with him at this time. While he and many more of us were back home reaping the harvest for a number of years, we found thousands upon thousands of young men sacrificing their lives for a mere pittance. I must uphold the Governor because this is one part of the program which he is trying to fulfill, but that part of the program is trying to be disrupted by some of his own colleagues.

Mr. President, we are delighted this afternoon. For four months we, of the Minority Party, have tried to start a fight among you fellows. We were unsuccessful, and now you are fighting among yourselves. We are very happy over that. It proves to us beyond any doubt that there is no unity within the Republican Party. When we have those who try to disrupt, rather than go forward, we will be going back to the "Old Guard," back in the old days, those Hoover days. It appears to me very much that the gentleman from Cumberland would like to go back to those Hoover days, when people were hungry, walking the streets, and selling apples.

Mr. President, I can't see where this Administration has done so much. Looking over the program, what have we done for the indigent, for the aged, the people who have no lobbies? You don't see them on the floor of the House or Senate. They get \$.86 per day to live upon. That is the State average—\$.86 per day. We can't shout to the roof tops that Governor Duff has come along and helped those poor people.

Mr. President, what have we done for the school teachers we talked about so much yesterday? We gave them a two and a half cents an hour raise.

Oh, we can wave a flag, but what have we done for labor?

But, Mr. President, here comes one part of the program which the Governor of the Commonwealth is trying to fulfill. We find today thousands upon thousands of veterans living with their in-laws, living in huts, living in trailers, and because private industry has tried to rob them, and has asked exorbitant prices for homes for which they cannot afford to pay the prices, we feel this is the only solution. I spoke to the Governor, and this is one part of the program, concerning which he has the courage of his convictions. Despite the opposition of the gentleman from Cumberland County we shall go forward, and try to give housing to the people who need it.

Mr. President, Senator Wade speaks of the soldiers' bonus. The cry is out, "We can't afford to pay it". When the drums were beating, when the troops were going down Main Street, and these men were campaigning, the slogan was, "Hurrah for the bonus. We can't do too much for them." It wasn't a matter of money then. It was a matter of how many guns, how many shells, how many tanks can we build. Not one of us, be he Democrat or Republican, mentioned money when the boys were in their dugouts and foxholes. We were watching the radio, the news headlines—have we advanced or are we retreating today? It wasn't a matter of money. A lot of them never came back, and a lot of them are back, crippled for life. So, we try to give them a mere pittance, a small reward to show our deep appreciation, and now we have to holler that \$500,000,000 will break the Commonwealth. Who is going to pay it?

Well, Mr. President, I simply can't agree with any man who takes that stand. This is not a partisan issue. We had Democrats as well as Republicans in those foxholes, and I say that everyone of them should be rewarded. We made that promise, we as Democrats and you as Republicans, and we also made the promise of a housing program and my hat is off to every man—will be off to every man in this Chamber who will uphold that program. If that is a New Deal program, more power to the Governor. He is smart.

Mr. President, we know that you gentlemen have stole most of our program, but we are not unhappy over it. We say, although we are in the Minority, it has been a powerful Minority. We have helped to mold this program. We have worked with you, and in many cases you have accepted our program. The General State Authority should never have been abolished, but now you see the light. We don't hate you for that, but if men like the gentleman from Cumberland, Senator Wade, occupied every seat in this Chamber, Mr. President, there is no doubt in my mind that we would go back to the dark, blue Hoover days, when people were hungry and crying for help.

Mr. President, we must go forward, and I am certain that most of my colleagues or a lot of them, will vote yes, for this housing program.

Mr. DENT. Mr. President, they say that fools walk in where angels fear to tread. Witness a fool walking in.

I never expected in my happiest dreams to witness the moment when the fight that I know must go on in the back rooms of the political parties would break out into the open, particularly in the Major political party in Pennsylvania. We Democrats, of course, are not a bit disturbed over this intra-party fight because we

have had them for years. We are quite expert at it, and I want to say that for a couple of amateurs, the boys on the other side are doing pretty good.

I am a little confused though, Mr. President, as to whether to take as a compliment the denunciation of the gentleman from Cumberland, or the elaborate build-up of the gentleman from Allegheny. I just wonder what are New Dealers. When I hear the name of Taft coupled with Senator Myers as a couple of New Dealers, I get a little bit confused, and I imagine some of you can understand why I would be confused.

Mr. President, we Democrats don't get excited or put out any more when people talk of the New Deal in a disparaging way. We feel that the achievements of the years have been accepted by the people on five occasions at the ballot box. We don't take too much pain in the fact that the Democratic Party in the Senate has dwindled down to fifteen Members. Those are the fortunes of political war in a state like Pennsylvania, which contains within its confines the great Republican County of Delaware, the great Republican County of Montgomery and the great Republican controlled County of Philadelphia. We have often been suspicious of the fact that if we could get the votes the way they get them in Philadelphia, we might be reaching over into the other side of the Senate.

Mr. President, it reminds me of back home in the early days when I first entered politics. We had a Republican City Mayor in a community of ours. In one election we found a split in a Republican Primary, so we had hoped that, perhaps, in the general election we could win that fight. We put up a substantial candidate, as the Democrats usually do, and low and behold, at about one-third in the morning following the election in one of the precincts, the so-called controlled and behavior precinct, they were counting the ballots, or rather they were sitting there with the ballots, and the runner came in and told them, "The Mayor's won again. Everything's all right. He won by thirty-eight votes." The fellows on the board said, "We'll close shop, and go out and hang the results on the polling place." While they were hanging up the results, the chief of police came busting up on his motorcycle, and said, "Wait a minute fellows, wait a minute. There's a wrong count some place. We lost by thirty-eight votes." Down came the results, and back up to the room they go, and some how or other they lost the light fuse. Two days later when they finally gathered all the pieces together, the Mayor had won by thirty-eight votes.

So, Mr. President, the point I am bringing out is that in the case in court, when the Democrats were contesting the thing, one of the charges made—and it always interested me—because in his charge the attorney made this statement. He said, "I am suspicious, your Honor, that in this particular precinct in this particular city they have gotten away from the requirements of the law, and they no longer count the ballots. All they do is weigh the boxes."

Mr. President, no doubt, a great many of us have heard stories about Philadelphia. In one particular precinct when I ran for office down in Philadelphia, I had more relatives in that district than I had votes.

That may be true because relatives don't always stay put, but I am little bit suspicious that somebody greased

the handle on me. That is alright, that, too, is the fortune of political war, but we don't think that the record made by the Republican Party in this particular Session or any Session of the Legislature is the basis of the reelection and election of the Republican Party.

We like to compare expenditures, if you please, Mr. President. We like to say to you that if we could have had one or two paid workers in the thirty-seven counties of Pennsylvania where we had no paid workers, no election workers, perhaps the 50,000 majority that the Republicans received last year in the Commonwealth of Pennsylvania might have been wiped out. We happen to know that we spent \$57,000 for a total state campaign in a presidential fight, and we know that the results were very good considering the fact that the opposite party spent nine hundred eighty some thousand dollars. Were we given an even break, an even chance in the newspapers and editorial pages, we would be the majority party in Pennsylvania because we will take vote for vote and show that this party of ours has always consistently fought for things that are for the betterment of the majority of the people.

This housing program before us today, Mr. President may have a great deal of merit in it, but to those of us who know something about the need of Pennsylvania, those of us who have participated in local campaigns to gain some rentable rooms for young couples, some homes for persons moving into our communities to new jobs, and can't find places to live—yes, we have all fought over the years for a housing program, and if this Senate will remember, I suggested at the last Session of the Legislature in 1947, that there was \$27,000,000 over and above the budgetary needs of the Commonwealth contained in the revenue raising measures that were before the Senate. I asked that this \$27,000,000 be put into a revolving fund, without the state giving anybody anything. The only thing that I asked the state to do was to create a revolving fund in order that it could go out and loan to those who had the material and the equipment and the ability to build homes, and finance these homes, and as the money came in for the payment, it would continue to go into that fund and keep on creating more homes.

Mr. President, I think that this particular program is inadequate, and another thing, I am firmly convinced that it should have been started six years ago. I think at this moment it may be too late and too little. However, it will do one thing, as I understand it. It will eradicate some slums areas in Philadelphia and in Pittsburgh, and today we have reached that stage in public housing—and I say this on my own opinion only—I am at least convinced myself that we have reached the stage in public housing now Federally, State and Locally, where public housing must be tied in with the eradication of slum areas, because this bill, for instance—the gentleman from Allegheny speaks of the fourteen hundred thousand veterans who were out looking for houses. I hope he doesn't think he is going to get them out of a \$15,000,000 housing program. We are not attempting to put a housing program in Pennsylvania at this moment except to say that we will be able to give about four and one-half million dollars to Philadelphia and Pittsburgh, which will be matched two to one by the Federal Government, or an additional \$9,000,000. There will be approximately

thirteen and one-half to fourteen million dollars that can be spent in these areas.

Mr. President, I do not expect to see any great housing developments in Westmoreland County. I don't expect to see any great housing developments in any of the so-called rural counties. However, there is a question raised by the gentleman from Cumberland, Senator Wade, as to whether or not they need housing in the rural counties. I am going to join the fraternity of non-experts and say that I can't answer that one, but I do know this. This bill, let us put it right out where it is, and vote for it strictly upon the merits or demerits of the bill. So far as the creation of housing for fourteen hundred thousand veterans, this bill does not do that. It is not in any sense, a veterans' housing program. It is in the main a start toward a slum clearance program in the Commonwealth, and that is all it is. I am going to vote for it on that basis, and on that basis only.

I am not confused, Mr. President, I am not kidding myself, and I am not kidding the veterans in Westmoreland County that I am creating any piece of legislation that is going to build houses for them. I intend to vote for this bill strictly upon what it does. It does one thing, and one thing only. It sets in motion a state housing program which should have been started six years ago. However, we might say that it is better late than never.

Mr. President, so far as the campaign of 1950, I haven't been nominated yet so I can't make the acceptance speech, but I imagine that when we come to that campaign there might be some of us who have served in this Senate during this Session who will bring up the fact that the housewife still has to churn the oleomargarine in the kitchen. They might even say to some folks in Pennsylvania that F.E.P.C. was destroyed and defeated in this Session. A great many people might say there weren't sufficient gains made in the way of labor in this Session of the Legislature, and that the so-called Anti-Labor Bills of 1947 are still upon the statute books. However, we are not entering the 1950 campaign as I see it, but I will say to you, all of you, very humbly, that I think that we will find a couple of good men in Pennsylvania willing to make the sacrifice and run on the Democratic ticket. I think we will find a couple of good men to stand up and fight for the things that we believe in, whether you call them New Deal, whether you call them Anti-Democratic, or whatever you call them.

I do know this, Mr. President, regardless of which political party takes power in this Commonwealth, certain progressive steps will be made, certain advancements in relationship between the governed and the governors will be made, certain expenses of every day life that we heretofore have accepted as personal charges will be wiped out and will be put upon the statute books and upon the cost of the Commonwealth. I expect to live to see the day when in this Commonwealth of ours we will make a great stride toward a higher education for every child in Pennsylvania that is born in Pennsylvania and reared in Pennsylvania, that has the ability, mentally, to go forward. I don't believe that we are a true democracy when we say to a group of children coming out of the eighth grade, or coming out of the schools in our state, "You may go on to higher education because you can afford it", and to another student, who may turn out to be the greatest scientist the world

has ever known, the greatst doctor, the greatst business leader, that he will be sent to the shops to work because he hasn't sufficient money to go through.

Mr. President, a great many men in this Senate have become educated because they themselves went out and worked their way through college, and I admire them very much. I would like to have gone myself if I could, but it so happened that there were so darn many of us at home that I kind of had to help the other ones to get through, but, Mr. President, some day, whether you are a Democrat or a Republican, you will see these advancements come in Pennsylvania, and I pledge right now that the Democratic Party will be out in the forefront fighting for that type of legislation just as it has fought over the years for the very things that you now accept in your legislative program, the things that we fought for, and the things we were castigated for, and the things we were condemned for not too many years ago. There is only one difference between, as I see it, the so-called New Dealers and the Republican Party, and that is just the difference of ten or twelve years.

Mr. LANE. Mr. President, I would like to preface my remarks by saying that in the event this is state socialism, I probably believe in it, and since it is called New Deal legislation, I am a firm New Dealer. I believe in the political philosophy of Franklin D. Roosevelt and Harry Truman.

Mr. President. In the dying days of this legislative session, we are considering one of the most important pieces of legislation that was ever considered by a legislature of this great Commonwealth of Pennsylvania.

The Housing Bills which we have before us this afternoon are so important that we would be amiss on the Minority Side if a statement were not made as to our thoughts and our intentions in regard to the passage of this legislation.

In 1947, when the need for housing was more acute than it is today, the Minority Party in the Senate of Pennsylvania recommended the sum of \$27,000,000 for a Housing Subsidy Program.

Now, in the year of our Lord, 1949, the Governor of this great Commonwealth has recommended the sum of \$15,000,000 for a Housing Subsidy Program.

Now, Mr. President, either the Minority Party or the Governor was wrong two years ago, and I take the position that the Governor of this Commonwealth is just two years too late with his progressive thinking, for it is perfectly obvious to all concerned that the Governor has at last become conscious of this great problem which has confronted the masses of this Commonwealth for a number of years.

We, on the Minority Side, take the position that this legislation is a step in the right direction. However, we also reserve the right to say that the amount of monies earmarked for this program is insufficient and that it is also two years too late.

Before we vote for the \$15,000,000 earmarked for this legislation, we want to know whether the buyer of the home is being subsidized or the building authorities are getting something for nothing. This is a very important question, and we, of the Minority, would be guilty of a gross injustice if we failed to ask this very important question on this legislation that is a new departure in governmental spending.

If the Majority Party in Pennsylvania had accepted in toto or in part the recommendations made by the Minority in 1947, we would have been just two years ahead in this program and many homes would have been built for our hundreds of thousands of war veterans and needy families who so urgently need a place to live.

I will not say on the floor of the Senate that the Governor of this Commonwealth is using the Housing Program as a political move and that he is trying to buy votes for the 1950 election, but I do question honestly and sincerely this unusual delay in the enactment of this legislation.

Mr. President, I want to say here and now, on the floor of the Senate, that this Housing Program which has been criticized by certain newspapers and certain Republican spokesmen, that this is New Deal legislation, I want the people of Pennsylvania to know that we of the Minority Party take the position that inadequate as this program might be, it is a step in the right direction and all we are doing today is pointing out the inadequacy of the program.

I recently received a telegram from the Pittsburgh Real Estate Board, signed by Hugh A. Murphy, President and co-signed by Charles E. Horner, Chairman of the Legislative Committee of the Pennsylvania Realtors Association. I am going to quote you the contents of this telegram of April 26, 1949 and before doing so, I say to you, Mr. President, that certain pressure groups will use any means at their command to defeat the enactment of progressive legislation in Pennsylvania, and that telegram, in my opinion, is certainly a gross misstatement of the facts. It is dated April 26, 1949, "Honorable William J. Lane, State Senate, Capitol Building, Harrisburg, Pennsylvania.

"Housing Bills Numbers, H-1052 and H-1059, now before the House, inject into State Government undesirable subsidized housing. The first step toward costly, ever-increasing public housing. This legislature is unfair to rural communities because it imposes upon them the cost of subsidized housing for the large urban areas. It increases the already high tax burden of the state and tends toward a socialized state. It confuses slums, morals and crime with housing. It adds Washington Bureaucracy to the State and defeats its own purpose since it does not create additional housing because it drives the unsubsidized builders from the home building field. We urge your opposition to these bills."

Now, Mr. President, The National Real Estate Association was credited with killing a portion of the Housing Program in our Federal Government and it seems that the State Association is determined to do likewise, and it seems that they almost succeeded because the House had killed these bills on one occasion.

To point out to you just how wrong and how misleading the contents of this telegram are, I would like to read to you the preamble of House Bill 1055, Printer's No. 517, which is in direct contradiction of the telegram sent by these Legislative Engineers.

Section 2, of House Bill 1055, Printer's No. 517, sets forth, the declaration of Policy, as it has been determined by the General Assembly of this Commonwealth.

"(A) That in both urban and rural communities of Pennsylvania there exist inadequate or overcrowded dwellings accompanied by an acute shortage of decent safe and san-

itary housing within the financial reach of families of limited incomes.

"(B) That these conditions singly and in combination are a menace to the health and welfare of the people of Pennsylvania because they encourage the spread of disease, impair public health and morals, increase the hazard of fires and accidents resulting in loss of life and property subject the young to influences which have a permanently deleterious effect on their moral standards; increase violation of the criminal laws of the Commonwealth; jeopardizing the safety and welfare of its people and necessitating the expenditure of large sums of public money for the purpose of crime prevention, punishment and correction; fire protection; public health and relief.

"(C) That the correction of these conditions requires the erection of housing projects on a basis which will provide additional housing at rentals which persons of limited incomes can afford to pay but such projects have not been erected because of the high construction costs which prevail.

"(D) That to induce the erection and maintenance of the housing needed for persons of limited incomes it is essential that the Commonwealth assumes a portion of the rental cost by paying for a portion of the construction costs of certain new housing projects.

"(E) That the governing bodies of political subdivisions may be of the opinion that their over-all housing needs can best be met by the effective operation of redevelopment authorities.

"(F) That the Commonwealth should recognize such local retermination and give financial assistance to redevelopment authorities in order to effectuate the purposes of the urban redevelopment law and of this act.

"Therefore, it is declared to be the policy of the Commonwealth of Pennsylvania to promote the health morals safety and welfare of its inhabitants by providing for state assistance to tenants of limited income through a contribution to the cost of housing projects to be erected and offered for occupancy at moderate rentals as a means of making such housing available to them at rentals within their ability to pay and by assisting the communities of this Commonwealth in meeting their housing needs by making grants to redevelopment authorities."

Mr. President, page 8 of this bill, under (B), provides "to make capital grants to redevelopment authorities in the furtherance of slum clearance and redevelopment with the primary objective of creating suitable sites for housing." It also provides that, "there shall be no discrimination against any person because of race, color, religion or national origin in the rental or occupancy of any housing constructed under the provisions of this legislation."

Now, Mr. President, the Real Estate Association of Pennsylvania can call this legislation socialistic and undesirable. However, I take the position, and emphatically state that this is certainly a step in the right direction, inadequate of this legislation may be. I call upon the Membership on both sides of this Senate to stand up and be counted, and prove to the people of Pennsylvania that the Senate of Pennsylvania has their welfare and well-being at heart, and that their objective it to make Pennsylvania a better place in which to live.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Barr,  
Barrett,  
Berger,  
Blass,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Geltz,  
Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,

Mallery,  
McPherson, Jr.,  
Meade,  
Neff,  
Pechan,  
Peelor,  
Rosenfeld,  
Ruth,  
Scarlett,  
Stevenson,  
Stiefel,

Tarr,  
Taylor,  
Toole,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

#### NAYS—5

Chapman,  
Robinson,

Snowden,

Tallman,

Wade,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1053, as follows:

An Act to amend the title and further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building law and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" by extending the act to all cities changing the scope of the field of operation of a county authority providing for the use of State grants or contributions towards payment of bonds and interest and as additional pledge therefor and transferring the administration of the act from the State Board of Housing to the State Planning Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and clause (c) of section three of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property

by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof of defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" are hereby amended to read as follows

An Act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the [State Board of Housing] State Planning Board and certain other State officers and departments

Section 3 Definitions The following words terms and phrases where used or referred to in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

\* \* \* \* \*

(c) "City" Any city of the first second second class A or third class [of thirty thousand population or over] "The city" shall mean the particular city for which a particular housing authority is created

Section 2 Clause (g) of section three of said act as amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 658) is hereby further amended to read as follows

Section 3 Definitions The following words terms and phrases where used or referred to in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

\* \* \* \* \*

(g) "Field of Operation" The area within the territorial boundaries of the city or county for which the particular housing authority is created Provided however That the field of operation of any county authority except as hereinafter provided shall not include a city having a [population of thirty thousand inhabitants or over] housing authority in existence at the inception of a project For the purposes of section 14.1 of this act only "field of operation" shall also include any county city borough or incorporated town or any portion thereof not included in said area in which the housing authority exercises its powers under the provisions of section 14.1 of this act

Section 3 Clause (e) of section four sections eight and nine clauses (d) and (e) of section eleven and sections thirteen and fourteen of said act are hereby amended to read as follows

Section 4 Formation of Housing Authorities

\* \* \* \* \*

(e) The governing body or the Governor as the case may be shall cause the aforesaid certificate to be filed with the Department of State and a duplicate thereof with the

[State Board of Housing] State Planning Board Whenever the Governor shall issue a certificate in the manner hereinbefore prescribed declaring the need for an Authority to operate within any city or county he shall notify the governing body of such city or county of such action

\* \* \* \* \*

Section 8 Interested Members or Employees No member or employee of an Authority shall acquire any interest direct or indirect in any housing project or in any property included or planned to be included in any project nor shall he have any interest direct or indirect in any contract or proposed contract for materials or services to be furnished or used in connection with any housing project If any member or employee of an Authority owns or controls an interest direct or indirect in any property included or planned to be included in any housing project of the Authority or has any such interest in any contract for material or services to be furnished or used in connection with any housing project he shall immediately disclose the same in writing to the Authority and such disclosure shall be entered in writing upon the minute books of the Authority Failure so to disclose such interest shall constitute misconduct in office Any such undisclosed profit which results to any member or employee of an Authority shall render such member or employee liable to surcharge in favor of the Authority to the full amount of such profit Such profit need not be realized in order to fall within the meaning of this section Proceedings to surcharge any member or employee may be instituted by an Authority or by the [State Board of Housing] State Planning Board on its behalf with or without its consent

Section 9 Filing of Charges Against Members or Employees Any obligee of an Authority may file with the appointing power or with the [State Board of Housing] State Planning Board written charges that the Authority or any member or employee of an Authority is violating section eight of this act or any other law of the Commonwealth

Section 11 Awards of Contracts Completion Bond Additional Bond for Protection of Materialmen and Others

\* \* \* \* \*

(d) Notwithstanding anything to the contrary contained in this act or in any other provision of law a housing authority may include in any contract let in connection with a project stipulations requiring that the contractor and any subcontractor comply with requirements as to minimum wages and maximum hours of labor and comply with any conditions which the Federal or State Government may have attached to its financial aid of the project

(e) Every Authority awarding contracts or requiring the delivery of bonds pursuant to this section shall keep an exact copy of every contract awarded or bond delivered upon file at its principal office Subject to regulations to be prescribed by the [State Board of Housing] State Planning Board for their safe keeping such copies shall be opened to public inspection

Section 13 Establishment of Rentals and Selection of Tenants An Authority may rent or lease dwelling accommodations only to persons of low income and at rentals within their financial reach It may rent or lease to a tenant a dwelling consisting of the number of rooms (but no greater number) which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof without overcrowding It shall not accept any person as a tenant in any housing project if the person or persons who would occupy the dwelling have an aggregate annual income in excess of six times the annual rental of the quarters to be furnished such person or persons In computing rental for the purpose of selecting tenants there shall be included in the rental the average annual cost as determined by the Authority to the occupants of heat water electricity gas cooking range and other necessary services or facilities whether or not the charge for such services and facilities is in fact included in the rental Every Authority shall file a schedule of its rental charges for dwelling accommodations with the [State Board of Housing] State Planning Board

Nothing contained in this or the preceeding section shall be construed as limiting the power of an Authority to vest in an obligee the right in the event of a default by the Authority to take possession of a housing project or cause the appointment of a receiver thereof or acquire title thereto through foreclosure proceedings free from all the restrictions imposed by this or the preceding section

Section 14 Cooperation Between Authorities Any two or more authorities may cooperate in the exercise of any of the powers conferred in this act For the purpose of financing planning constructing or operating a housing project or projects jointly when such is deemed necessary to the effectuation of the purposes of this act two or more authorities may set up a joint committee to have charge of such financing planning construction or operation Each of the cooperating authorities shall appoint two of its own members to serve on such joint committee and the [State Board of Housing] State Planning Board shall designate an additional member upon being notified by the authorities of their desire to cooperate in preparing and carrying on a project The cooperating authorities shall draw up a satisfactory plan of cooperation which must be approved by the [State Board of Housing] State Planning Board prior to the commencement of any activity on such joint project

Section 4 Section seventeen of said act as amended by the act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 424) is hereby further amended to read as follows

Section 17 Bonds of an Authority An Authority shall have power to issue bonds for any of its corporate purposes An Authority may issue such types of bonds as it may determine including bonds on which the principal and interest are payable (a) exclusively from the income and revenues of the housing project financed with the proceeds of such bonds or with such proceeds together with a grant from the Federal or State Government in aid of such project (b) exclusively from the income and revenues of certain designated housing projects whether or not they were financed in whole or in part with the proceeds of such bonds or (c) from its revenues generally Any such bonds may be additionally secured by a pledge of any revenues including grants or contributions from the Federal or State Government or any agency and instrumentality thereof or a mortgage of any housing project projects or other property of the Authority

The bonds issued by an Authority are hereby declared to have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania

If the bonds of an Authority created under the provisions of this act are secured by pledge of annual contributions or Capital Grants to be made by the United States Government the Commonwealth of Pennsylvania or any agency or instrumentality thereof such bonds and the income therefrom shall at all times be free from taxation or State or local purposes under any law of this Commonwealth

Neither the members of the Authority nor any person executing the bonds shall be liable personally on any such bonds by reason of the issuance thereof Such bonds or other obligations of an Authority shall not be a debt of any city county municipal subdivision or of the Commonwealth and shall so state on their face nor shall any city county municipal subdivision or the Commonwealth or any revenues or any property of any city county municipal subdivision or of the Commonwealth be liable therefor

Section 5 Section twenty-two of said act as amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 449) is hereby further amended to read as follows

Section 22 Aid from Federal Government In addition to the powers conferred upon an Authority by other provisions of this act an Authority is empowered to borrow money or accept grants or other financial assistance from the Federal Government for or in aid of any housing project within its area of operation to take over or lease or

manage any housing project or undertaking constructed or owned by the Federal Government and to these ends to comply with such conditions and enter into such mortgages trust indentures leases or agreements as may be necessary convenient or desirable It is the purpose and intent of this act to authorize every Authority to do any and all things necessary or desirable to secure the financial aid or cooperation of the Federal Government in the undertaking construction maintenance or operation of any housing project by such Authority Provided That upon completion of an application of an Authority for financial assistance of the Federal Government in connection with a housing project the Authority shall present to the [State Board of Housing] State Planning Board the said application and supporting data The application and data shall be presented by the [State Board of Housing] State Planning Board within twenty (20) days from the receipt thereof to the Federal agency in question with the recommendations of the [State Board of Housing] State Planning Board Should the [State Board of Housing] State Planning Board fail within the said twenty (20) day period to forward said application and document to the Federal Government or its appropriate agency the Authority shall be permitted to present its application to the Federal Government or its agency During the pendency of an application to the Federal Government or its agency for its assistance as aforesaid the Authority shall file with the [State Board of Housing] State Planning Board copies of all correspondence agreements and documents that may be exchanged between the Authority and representatives of the Federal Government in connection with the project

Section 6 Section twenty-four of said act is hereby amended to read as follows

Section 24 Reports In addition to any other material which an Authority must file with the [State Board of Housing] State Planning Board according to the provisions of this act it shall file with said board

(a) A copy of any rules regulations or resolutions and amendments thereto adopted by it from time to time

(b) At least once each year a report of its activities for the preceding year and such other reports as said board may require

(c) Copies of the plans layout estimated costs and proposed method of financing of proposed housing projects as well as of any changes which may be made in any such project

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Barr,  
Barrett,  
Berger,  
Blass,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Geltz,  
Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,

Mallery,  
McPherson, Jr.,  
Meade,  
Neff,  
Pechan,  
Peelor,  
Rosenfeld,  
Ruth,  
Scarlett,  
Stevenson,  
Stiefel,

Tarr,  
Taylor,  
Toole,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

#### NAYS—5

Chapman,  
Robinson,

Snowden,

Tallman,

Wade,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of

Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1054, as follows:

An Act to amend the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employees of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authoritis conferring certain duties upon local planning commission the governing bodies of cities and counties and on certain State officers boards and departments" by substituting the State Planning Board for the State Board of Housing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section four and sections eight and nineteen of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employees of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" are hereby amended to read as follows

#### Section 4 Formation of Authorities

(c) The governing body shall cause a certified copy of such ordinance or resolution to be filed with the Department of State and [duplicates] a duplicate thereof with the [State Board of Housing and the] State Planning Board upon receipt of the said certificate the Secretary of the Commonwealth shall issue a certificate of incorporation.

Section 8 Interest of Members or Employees No member or employee of an Authority shall acquire any interest direct or indirect in any redevelopment project or in any property included or planned to be included in any redevelopment area or in any area which he may have reason to believe may be certified to be a redevelopment area nor shall he have any interest direct or indirect in

any contract or proposed contract for materials or services to be furnished or used by an Authority or in any contract with a redeveloper or prospective redeveloper relating directly or indirectly to any redevelopment project The acquisition of any such interest in a redevelopment project or in any such property or contract shall constitute misconduct in office If any member or employee of an Authority shall already own or control any interest direct or indirect in any property later included or planned to be included in any redevelopment project under the jurisdiction of the Authority or has any such interest in any contract for material or services to be furnished or used in connection with any redevelopment project he shall disclose the same in writing to the Authority and to the [State Board of Housing] State Planning Board and the local governing body and such disclosure shall be entered in writing upon the minute books of the Authority Failure to make such disclosure shall constitute misconduct in office

#### Section 19 Records and Reports

(a) The books and records of an Authority shall at all times be open and subject to inspection by the [State Board of Housing] State Planning Board

(b) An Authority may file with the State Planning Board [and the State Board of Housing] such information and reports as it may from time to time deem desirable and shall file with them

(1) A copy of all by-laws and rules and regulations and amendments thereto adopted by it from time to time

(2) Copies of all redevelopment proposals and redevelopment contracts as well as of any changes which may be made therein

(3) At least once each year a report of its activities for the preceding year and such other reports as said [boards] board may require Copies of such reports shall be filed with the mayor and governing body of the city or with the county board of commissioners as the case may be

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Barr,  
Barrett,  
Berger,  
Blass,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Geltz,  
Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,

Mallery,  
McPherson, Jr.,  
Meade,  
Neff,  
Pechan,  
Peelor,  
Rosenfeld,  
Ruth,  
Scarlett,  
Stevenson,  
Stiefel,

Tarr,  
Taylor,  
Toole,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

#### NAYS—5

Chapman,  
Robinson,

Snowden,

Tallman,

Wade,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1055, as follows:

An Act providing and regulating State assistance for housing including slum clearance and redevelopment and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows.

Section 1 Short Title This act shall be known and may be cited as the "Housing and Redevelopment Assistance Law"

Section 2 Declaration of Policy It has been determined by the General Assembly of this Commonwealth

(a) That in both urban and rural communities of Pennsylvania there exist inadequate or over-crowded dwellings accompanied by an acute shortage of decent safe and sanitary housing within the financial reach of families of limited incomes

(b) That these conditions singly and in combination are a menace to the health and welfare of the people of Pennsylvania because they encourage the spread of disease impair public health and morals increase the hazard of fires and accidents resulting in loss of life and property subject the young to influences which have a permanently deleterious effect on their moral standards increase violation of the criminal laws of the Commonwealth jeopardizing the safety and welfare of its people and necessitating the expenditure of large sums of public money for the purpose of crime prevention punishment and correction fire protection public health and relief

(c) That the correction of these conditions requires the erection of housing projects on a basis which will provide additional housing at rentals which persons of limited incomes can afford to pay but such projects have not been erected because of the high construction costs which prevail

(d) That to induce the erection and maintenance of the housing needed for persons of limited incomes it is essential that the Commonwealth assume a portion of the rental cost by paying for a portion of the construction costs of certain new housing projects

(e) That the governing bodies of political subdivisions may be of the opinion that their over-all housing needs can best be met by the effective operation of redevelopment authorities and

(f) That the Commonwealth should recognize such a local determination and give financial assistance to redevelopment authorities in order to effectuate the purposes of the urban redevelopment law and of this act

Therefore it is declared to be the policy of the Commonwealth of Pennsylvania to promote the health morals safety and welfare of its inhabitants by providing for state assistance to tenants of limited income through a contribution to the cost of housing projects to be erected and offered for occupancy at moderate rentals as a means of making such housing available to them at rentals within their ability to pay and by assisting the communities of this Commonwealth in meeting their housing needs by making grants to redevelopment authorities

Section 3 Definitions The following words terms and phrases where used or referred to in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

(a) "Aggregate Income" the total annual income of all occupants of a rental unit less an exemption of one hundred dollars (\$100) for each minor occupying the rental unit or receiving his main support from the lessee Of such total annual income not more than ten per cent interest or income from capital investments

(b) "Board" the State Planning Board a departmental administrative board within the Department of Commerce of the Commonwealth

(c) "Housing Project" or "Project" any work or undertaking initiated pursuant to section 4 (a) of this act to provide decent safe and sanitary urban or rural dwellings apartments or other living accommodations for persons of limited income Such work or undertaking may include acquisition of land and its clearance building construction and the necessary equipment facilities and other property or rights including convenient or desirable appurtenances streets sewers water services parks site preparation gardening for administrative community

health recreational educational welfare or other purposes The term "Housing Project" or "Project" may be applied to the planning of the buildings and improvements the acquisition of property the demolition of existing structures the construction reconstruction alteration and repair of existing improvements and all other work in connection therewith

(d) "Net Rental" annual rent per dwelling unit not including the value or cost of water electricity refrigeration or heating and cooking fuels

(e) "Redevelopment Authority" a public body corporate and politic organized and existing by virtue of the urban redevelopment law the act of May 24 1945 (P. L. 991)

(f) "Veterans" a person who has served in the active military or naval service of the United States at any time on or after September 16 1940 and prior to July 26 1947 and who shall have been discharged or released therefrom under conditions other than dishonorable "Families of Veterans" shall include the families of persons who died as the result of service in the armed forces of the United States between the above mentioned dates

Section 4 Grant Authorization The State Planning Board is hereby authorized within the limitations hereinafter provided (a) to make capital grants in the furtherance of housing development and to assist the construction and operation of housing projects through the payment of such grants by contracting with governmental agencies or authorities such as housing authorities and urban redevelopment authorities or with limited dividend housing corporations insurance companies or any other private public or semi-public agencies firms or corporations providing adequate surety acceptable to the Board guaranteeing continuity of operation throughout the term of its contract and (b) to make capital grants to redevelopment authorities in the furtherance of slum clearance and redevelopment with the primary objective of creating suitable sites for housing

There shall be no discrimination against any person because of race color religion or national origin in the rental or occupancy of any housing constructed under the provisions of this act

Section 5 Housing Authorities and Limited Dividend Housing Corporations Housing authorities created under the "Housing Authorities Law" the Act of May 28 1937 (P. L. 955) as now or hereafter amended and limited dividend housing companies created under the "Limited Dividend Housing Company Law" the Act of May 18 1937 (P. L. 704) as now or hereafter amended shall in addition to the powers conferred upon them by those acts respectively have the right to contract for erect and maintain projects under this act

Section 6 Tenant Limitations No capital grant pursuant to section 4 (a) of this act shall be made for any housing project unless the agency authority or corporation receiving such capital grant shall contract to maintain rent levels within the means of persons of limited income as established by the State Planning Board and embodied in the contract as hereinafter provided which shall be substantially below those now available through equivalent non-subsidized construction and to limit the tenant admissions of such project to families whose aggregate income does not exceed six times the net rental of the housing unit to be furnished any such family

Employment by any specific employer or employers shall not be a requisite for occupancy in any housing project built under the provisions of this act

Priority in occupancy shall be given to veterans and families of veterans for five years after the effective date of this act and thereafter at the discretion of the board and so far as is consistent with the objectives of this act to persons displaced by the necessary operations of public housing and redevelopment projects and other public improvements provided that such persons or families meet the income qualifications established by the Board

Section 7 Grant Limitations Pursuant to Section 4 (a) of this act the State Planning Board shall make no cap-

ital grant for any housing project which shall exceed thirty-five percent of its land acquisition development construction and preoccupancy cost as finally ascertained by the Board

Any capital grants made under this act shall be strictly limited to the amounts and percentage of total cost necessary in the determination of the State Planning Board to accomplish the purposes of this act

The total amount of all grants made by the State Planning Board for slum clearance and redevelopment pursuant to section four (b) of this act shall not exceed thirty per cent of the amount appropriated by this act

Section 8 Procedures The State Planning Board subject to the approval of the Governor shall tentatively allocate to the several areas of the Commonwealth as designated by the Board such capital grants under the limitations specified in this act as may promote aid or stimulate the erection of housing within that area

In the determination of such tentative allocations the State Planning Board shall be guided by the following standards population distribution pattern growth as determined by the State Planning Board in the period since 1940 trends of industry and such evidence of housing needs throughout the State as are available to the Board

The State Planning Board shall publicize in each area concerned the tentative allocation of State subsidy funds for the stimulation of housing construction in that area in each case making every reasonable effort to inform officials of political subdivisions and representatives of agencies such as those enumerated in Section 4 of this act as possible participants in this program

Each such political subdivision or agency evidencing within a reasonable period of time as determined by the Board an interest in participating in the program with accompanying proof of local housing need recommendation of a suitable and available site information as to community attitude and evidence that the municipality is recognizing its housing needs by enforcing the laws concerning building construction and sanitation and other pertinent supporting data shall have its request reviewed in the light of other requests from that area and the total amount of tentative allocations for the area After review by the Board and if a housing project is involved and if the need and feasibility of the proposed project has been demonstrated and where a suitable site is available and where adequate funds are available for allocation the Board shall accept bids on housing construction and operation proposals covering such number and character of housing units type of construction site rental ranges proposed and such other requirements as are established by the Board Each bid submitted shall stipulate the amount of State subsidy which would be required by the bidder to construct and operate the housing projects in accordance with the before mentioned requirements of the Board

If the tentative allocation of grants in any area in the State does not energize action resulting in acceptable proposals within a reasonable time as determined by the Board the Board shall have power to reallocate with the approval of the Governor these grants to other areas in the Commonwealth which as determined by the before mentioned standards have effectively established an urgent need for additional housing facilities Unused portions of these reallocations may be similarly reallocated at later dates so as to effectuate the purposes of this act

In order to effectuate and enforce the provisions of this act the Board is authorized to promulgate necessary rules and regulations

#### Section 9 Board Action on Bids

The Board may reject any or all bids It shall determine which of the acceptable bids made by responsible bidders will provide for erection and rental of the housing units in accordance with the terms of the Board's request for bids at the lowest cost to the Commonwealth and shall notify the successful bidder which may be the sole bidder and shall on behalf of the Commonwealth after ratification by the Governor as provided in Section 10 of this act enter into a contract with the successful bidder

Section 10 Ratification by the Governor All bids accepted by the Board shall be transmitted to the Governor for his consideration and must be ratified by him before the Board may enter into contractual relations with the bidder Upon ratification of a bid by the Governor the Board is authorized to execute contracts effectuating the terms of the bid and proposal embodying the provisions specified in Section 11 of this act and providing for the payment of the capital grant

Section 11 Contracts No State funds for capital grants under the provisions of Section 4 (a) of this act shall be disbursed until the State Planning Board after ratification of the bid by the Governor as specified in Section 10 has entered into a contract with the bidder embodying suitable guarantees as to the erection maintenance and management of the proposed housing project in accordance with the purposes of this act and including provision for

(1) the termination of the Commonwealth's powers and responsibilities with respect to said project after a specified term of not less than twenty-eight years

(2) An agreement that the bidder shall not voluntarily subject the premises to any lien or mortgage other than such as may be specified in the contract and that any transfer of the project or any assignment of investor's interest under the agreement shall be subject to all the terms of the contract and this act and shall not relieve the investor of the investor's obligation under the contract

(3) provisions that the scale of rentals and tenant income limitations originally agreed upon may at some later date be modified by action of the Board upon petition by the bidder so as to recognize changes in general or local economic conditions and

(4) such other provisions as the Board determines are necessary to carry out the purpose of this act

Section 12 Approval and Acquisition of Sites No housing project site shall be approved by the Board before the Board has received advice thereon from the planning commission or if no planning commission shall exist the governing body of the political subdivision in which the proposed site is located provided however that if such advice is not received from such local agency within a reasonable time as defined by the Board local approval shall be assumed

All proposed housing project plans shall conform to the requirements of local zoning ordinances if any such have been adopted

Sites for proposed housing projects may be optioned by the Board or may be acquired by gift or purchase either by negotiation or through exercise of its power of eminent domain Such option or title to a proposed site may be transferred by the Board or its duly authorized agents to the agency authority corporation or firm with which the Board contracts for the building and operation of a housing project and may constitute part or all of the Commonwealth's subsidy of the project

Section 13 Design Construction and Inspection All architectural engineering or site development plans for housing projects constructed under the provisions of this act shall be approved by the State Planning Board or its duly accredited representatives before the work covered by the plans is undertaken

Standards as to materials and construction techniques shall be as specified or approved by the Board and must conform to requirements of local codes

The Board or its duly accredited representatives shall be allowed full access at reasonable times to every housing project initiated under the provisions of this act so as to permit a free inspection of materials methods of construction and standards of maintenance as required under the provisions of the contract

Section 14 Redevelopment Proposals The governing body of a political subdivision may be formal resolution inform the State Planning Board that in its opinion the housing needs of the political subdivision may best be met through the expenditure of some or all of the state funds provided by this act and available for allocation in that area on slum clearance and the redevelopment of

blighted areas rather than directly on subsidized construction of rental housing if such action is taken by the governing body a certified copy of the resolution shall be forwarded to the State Planning Board and supplemented by a proposal of the governing body which shall set forth the use to be made of any funds allocated to a redevelopment authority and the amount of funds required the use of said funds shall be for the purposes set forth in section 4 (b) of this act and without defining the generality of the foregoing may be used for local contributions required by any federal redevelopment law

Unless and until said resolution is revoked the State Planning Board shall not enter into contractual relations regarding housing projects which would otherwise utilize the funds available for allocation in that political subdivision and proposed for expenditure on urban redevelopment by the governing body of the political subdivision provided however that if no satisfactory redevelopment proposal results within a reasonable time as determined by the board said funds after due notice to the governing body of the political subdivision may be made available for other purposes authorized by this act

The State Planning Board shall review the proposal and if satisfied that the proposal is in accordance with the purposes of this act shall with the approval of the Governor enter into a grant agreement with the redevelopment authority subject to the condition that it be used in accordance with the terms of the proposal

No moneys shall be paid under the grant agreement until said authority has entered into a redevelopment contract with a redeveloper in accordance with the provisions of the urban redevelopment law said grant agreement may provide that the grant be revoked if no redevelopment contract is executed within a period of time stipulated in the agreement

**Section 15 Cooperation with Other Agencies** The State Planning Board is directed to administer this housing program with such flexibility as to permit a full cooperation between State Federal and local governments agencies and authorities as well as private interests so as to result in as effective and economical a housing program as possible

**Section 16 Interdepartmental Cooperation** The Board shall at its request receive the assistance of the Department of Property and Supplies in connection with the administration of this act with respect to investigation of proposed sites optioning or acquisition of approved sites preparation or analysis of plans and specifications inspection of materials and inspection of construction for housing developments built under the provisions of this act

**Section 17 Appropriation** The sum of fifteen million dollars (\$15,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Commerce for the use of the State Planning Board for the purposes set forth in this act and of this amount not more than three per cent shall be spent by the Board for administration of this act including payment to the Department of Property and Supplies for the cost of any services authorized by Section 16 of this act

**Section 18 Effective Date** This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—45

Barr,	Geltz,	Mallery,	Tarr,
Barrett,	Haluska,	McPherson, Jr.,	Taylor,
Berger,	Hare,	Meade,	Toole,
Blass,	Holland,	Neff,	Wagner,
Crowe,	Homsher,	Pechan,	Walker,

Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,

Peelor,  
Rosenfeld,  
Ruth,  
Scarlett,  
Stevenson,  
Stiefel,

Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

## NAYS—5

Chapman,  
Robinson,

Snowden,

Tallman,

Wade,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1056, as follows:

**An Act to amend the title and sections three fourteen and twenty-one of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 704) entitled "An act to promote the public health safety morals and welfare by providing for the creation of corporations to be known as limited dividend housing companies for the purposes of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to be let at reasonable rentals or sold providing for the acquisition of property by the exercise of the power of eminent domain through the State Board of Housing providing for the supervision and regulation of the activities of such companies by the State Board of Housing in the Department of Health and regulating the supervision by the State board of any such companies aided by the Federal Government or agencies thereof defining the rights powers and duties of such companies and of persons investing in or dealing with such companies authorizing such companies to lease and operate or to manage projects of any housing authority and borrow money from agencies of the United States Government exempting all such companies from the payment of any capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions authorizing certain existing companies to accept the provisions of this act and repealing inconsistent acts" by transferring supervision and regulation of such companies to the State Planning Board**

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

**Section 1** The title and sections three fourteen and twenty-one of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 704) entitled "An act to promote the public health safety morals and welfare by providing for the creation of corporations to be known as limited dividend housing companies for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to be let at reasonable rentals or sold providing for the acquisition of property by the exercise of the power of eminent domain through the State Board of Housing providing for the supervision and regulation of the activities of such companies by the State Board of Housing in the Department of Health and regulating the supervision by the State board of any such companies aided by the Federal Government or agencies thereof defining the rights powers and duties of such companies and of persons investing in or dealing with such companies authorizing such companies to lease and operate or to manage projects of any housing authority and borrow money from agencies of the United States Government exempting all such com-

panies from the payment of any capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions authorizing certain existing companies to accept the provisions of this act and repealing inconsistent acts" are hereby amended to read as follows

**An Act to promote the public health safety morals and welfare by providing for the creation of corporations to be known as limited dividend housing companies for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to be let at reasonable rentals or sold providing for the acquisition of property by the exercise of the power of eminent domain through the State [Board of Housing] Planning Board providing for the supervision and regulation of the activities of such companies by the State [Board of Housing in the Department of Health] Planning Board and regulating the supervision by the State board of any such companies aided by the Federal Government or agencies thereof defining the rights powers and duties of such companies and of persons investing in or dealing with such companies authorizing such companies to lease and operate or to manage projects of any housing authority and borrow money from agencies of the United States Government exempting all such companies from the payment of any capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions authorizing certain existing companies to accept the provisions of this act and repealing inconsistent acts**

**Section 3 Definitions** The following words and phrases when used in this act shall have the meanings respectively ascribed to them in this section

"Board" shall mean the [State Board of Housing in the Department of Health] State Planning Board in the Department of Commerce of this Commonwealth

"Housing Authority" shall mean any housing authority organized pursuant to any law of this Commonwealth

"Municipality" shall include only cities boroughs and townships

"A limited dividend housing company" referred to hereafter as a "company" shall be a company incorporated under and governed by the provisions of the general corporation laws relating to business corporations of this Commonwealth to the extent that such provisions are not in conflict herewith Three or more persons may incorporate a company for the public purpose of building and operating or managing a housing project to be rented at rates not exceeding those prescribed by the board No shareholder or debenture holder in such a company shall receive on his investment a greater dividend or interest return per annum than that provided therein

**Section 14 Surplus** A surplus of an amount approved by the board shall be permitted limited dividend housing companies but the amount of the net earnings transferable to surplus in any year shall be subject to the approval of the board On dissolution of any limited dividend housing company the shareholders shall in no event receive more than the par value of their shares plus accumulated accrued or unpaid dividends and any remaining surplus shall be paid to the Commonwealth and shall become part of the fund appropriated to the [State Board of Housing] State Planning Board

**Section 21 Power to Lease and Operate or to Manage Projects of Housing Authority** Any limited dividend company operating within the boundaries of a housing authority may with the written consent of the [State Board of Housing] State Planning Board enter into an agreement to lease and operate or to manage as agent any housing project of such authority

**Section 2** The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Barr.	Geltz.	Mallery.	Tarr.
Barrett.	Haluska,	McPherson, Jr.,	Taylor,
Berger.	Hare,	Meade,	Toole,
Blass.	Holland.	Neff,	Wagner,
Crowe.	Homsher.	Pechan,	Walker,
Dent.	Kephart.	Peelor,	Watkins,
Diehm.	Lane.	Rosenfeld,	Watson,
DiSilvestro.	Leader,	Ruth,	Wolfe,
Doehla.	Letzler,	Scarlett,	Wood, L. H.,
Donlan.	Lord,	Stevenson,	Wood, T. N.,
Farrell.	Mahany,	Stiefel,	Yosko,
Frazier.			

#### NAYS—5

Chapman.	Snowden,	Tallman,	Wade,
Robinson,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No 1057, as follows:

**An Act to amend sections three and four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-seven (P. L. 888) entitled "An act to authorize cities boroughs towns townships counties and other public bodies to aid housing projects of housing authorities or of the United States of America by furnishing parks playgrounds streets and other improvements and facilities by exercising certain other powers and by making agreements relating to such aid to authorize cities boroughs towns townships and counties to contract with respect to the sums to be paid them for improvements services and facilities to be provided for the benefit of housing projects and the occupants thereof to authorize certain cities and counties to make an appropriation for the first years' administrative expenses of housing authorities and to authorize certain cities boroughs towns and counties to pay moneys to housing authorities" by removing any ambiguity as to the powers of a State public body with respect to long term agreements and changing definition of term "Housing Project"**

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

**Section 1** Clause (c) of section three and section four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-seven (P. L. 888) entitled "An act to authorize cities boroughs towns townships counties and other public bodies to aid housing projects of housing authorities or of the United States of America by furnishing parks playgrounds streets and other improvements and facilities by exercising certain other powers and by making agreements relating to such aid to authorize cities boroughs towns townships and counties to contract with respect to the sums to be paid them for improvements services and facilities to be provided for the benefit of housing projects and the occupants thereof to authorize certain cities and counties to make an appropriation for the first years' administrative expenses of housing authorities and to authorize certain cities boroughs towns and counties to pay moneys to housing authorities" are hereby amended to read as follows

**Section 3** Definitions The following terms whenever

used or referred to in this act shall have the following respective meanings unless a different meaning clearly appears from the context

(c) "Housing Project" shall mean any work or undertaking of a housing authority [pursuant to the Housing Authorities Law] authorized by law or any similar work or undertaking of the Federal Government or of this Commonwealth

Section 4 Cooperation in Undertaking Housing Projects For the purpose of aiding and cooperating in the planning undertaking construction or operation of housing projects located within the area in which it is authorized to act any State public body may upon such terms with or without consideration as it may determine

(a) Dedicate sell convey or lease any of its property to a housing authority or the Federal Government

(b) Cause parks playgrounds recreational or community facilities or any other works which it is otherwise empowered to undertake to be furnished adjacent to or in connection with housing projects

(c) Furnish dedicate close pave install grade regrade plan or replan streets roads roadways alleys sidewalks or other places which it is otherwise empowered to undertake

(d) Enter into agreements extending over any period with a housing authority or the Federal Government respecting action to be taken by such State public body pursuant to any of the powers [herein] granted by this act and

(e) Do any and all things necessary or convenient to aid and cooperate in the planning undertaking construction or operation of such housing projects

(f) With respect to any housing project which a housing authority has acquired or taken over from the Federal Government and which the housing authority by resolution has found and declared to have been constructed in a manner that will promote the public interest and afford necessary safety sanitation and other protection no State public body shall require any changes to be made in the housing project or the manner of its construction or take any other action relating to such construction

(g) In connection with any public improvements made by a State public body in exercising the powers herein granted such State public body may incur the entire expense thereof Any law or statute to the contrary notwithstanding any sale conveyance lease or agreement provided for in this section may be made by a State public body without appraisal public notice advertisement or public bidding

Section 2 Effective Date This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Barr,	Geltz,	Mallery,	Tarr,
Barrett,	Haluska,	McPherson, Jr.,	Taylor,
Berger,	Hare,	Meade,	Toole,
Blass,	Holland,	Neff,	Wagner,
Crowe,	Homsber,	Pechan,	Walker,
Dent,	Kephart,	Peelor,	Watkins,
Diehm,	Lane,	Rosenfeld,	Watson,
DiSilvestro,	Leader,	Ruth,	Wolfe,
Doehla,	Letzler,	Scarlett,	Wood, L. H.,
Donlan,	Lord,	Stevenson,	Wood, T. N.,
Farrell,	Mahany,	Stiefel,	Yosko,
Frazier,			

#### NAYS—5

Chapman,	Snowden,	Tallman,	Wade,
Robinson,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1058, as follows:

An Act to amend sections four and six of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 982) entitled "An act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties" by removing any ambiguity as to the powers of a State public body with respect to long term agreements and permitting State public bodies to issue bonds to provide funds for local contributions required by Federal law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four and six of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 982) entitled "An act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties" are hereby amended to read as follows

Section 4 Cooperation in Redevelopment For the purpose of aiding and cooperating in the operation of an authority and in the planning acquisition clearance re-planning and redevelopment activities of an authority the Commonwealth or any State public body may upon such terms with or without consideration as it may determine

(a) Dedicate sell convey or lease any of its property to a redevelopment authority

(b) Cause parks playgrounds recreational or community facilities or any other works which it is otherwise empowered to undertake to be furnished in or adjacent to any area selected for redevelopment

(c) Furnish dedicate close pave install grade regrade plan or replan streets roads roadways alleys sidewalks or other places which it is otherwise empowered to undertake

(d) Enter into agreements extending over any period with a redevelopment authority or with the Federal government respecting action to be taken by the Commonwealth or such State public body pursuant to any of the powers [herein] granted by this act and

(e) Do any and all things necessary or convenient to aid and cooperate in the redevelopment undertaken by a redevelopment authority

(f) In connection with any public improvements made by the Commonwealth or a State public body in exercising the powers herein granted the Commonwealth or such State public body may incur the entire expense thereof

Section 6 Advances to Redevelopment Authority When any redevelopment authority which is created to operate within any city or county becomes authorized to transact business and exercise its powers the city council or the county commissioners as the case may be may make such appropriations to an authority out of any moneys in such city or county treasury not appropriated to some other purposes as is deemed necessary to assist an authority in

carrying out its public purposes Any State public body located in whole or in part within the field of operation of a redevelopment authority shall have the power from time to time to lend or donate money to the authority Said State public body may issue general obligation bonds for the purpose of obtaining funds for local contributions required by any Federal law pertaining to redevelopment

Section 2 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Barr,	Geltz,	Mallery,	Tarr,
Barrett,	Haluska,	McPherson, Jr.,	Taylor,
Berger,	Hare,	Meade,	Toole,
Blass,	Holland,	Neff,	Wagner,
Crowe,	Homsher,	Pechan,	Walker,
Dent,	Kephart,	Peelor,	Watkins,
Diehm,	Lane,	Rosenfeld,	Watson,
DiSilvestro,	Leader,	Ruth,	Wolfe,
Doehla,	Letzler,	Scarlett,	Wood, L. H.,
Donlan,	Lord,	Stevenson,	Wood, T. N.,
Farrrell,	Mahany,	Stiefel,	Yosko,
Frazier,			

#### NAYS—5

Chapman,	Snowden,	Tallman,	Wade,
Robinson,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1059, as follows:

An Act to further amend section four hundred fifty-one and to amend section two thousand five hundred two B of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by reconstituting the State Planning Board and changing its functions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred fifty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive

and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments board and commissions shall be determined" as added by the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 101) and amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 401) is hereby further amended to read as follows

Section 451 State Planning Board The State Planning Board shall consist of the Secretary of Commerce ex officio who shall be Chairman of the board and [eleven] fifteen members to be appointed by the Governor from among the citizens of the State who during their terms shall hold no other State office to which any salary is attached The Governor may appoint as additional members of the board [executive officers of State administrative departments or agencies] judges officials of State departments agencies or authorities or members of the General Assembly for such terms as he may determine but not beyond their term of office in such other State service At no time shall there be more than ten such official members Except as hereinafter provided the term of office of citizen members of the board shall be five years and until their successors are appointed and have qualified In case of a vacancy except in the case of the Secretary of Commerce the Governor shall make an appointment for the unexpired term In the event of the enforced absence or inability of the Secretary of Commerce to act his duly authorized deputy shall in his stead be temporary chairman and a member of the board

[The members of the board who have duly qualified as such and whose terms have not expired on the effective date of these amendments shall continue as members of the board until the expiration of their respective terms and until their successors are appointed and have qualified New members shall be appointed with due regard to the terms of existing members of the board so that of the board as first constituted under these amendments the terms of two members shall be for one year the terms of two members for two years the terms of two members for three years the terms of two members for four years and the terms of three members for five years]

The members of the State Planning Board and the State Board of Housing serving on the effective date of these amendments shall continue to serve as members of the State Planning Board as hereby reconstituted until the expiration of the terms for which they were last appointed

[A majority of the] Eight members of the board shall constitute a quorum

The members of the board shall serve without compensation but shall be entitled to receive traveling and other expenses incurred in the discharge of their duties

The board may with the approval of the [Secretary of Commerce appoint and fix the compensation of a secretary who shall act as executive director] Governor appoint and fix the compensation of an executive director who shall act as secretary of the board and who shall conduct the work of the board under its supervision The [secretary] executive director shall hold no other position in the service of the Commonwealth or any political

subdivision thereof and shall be technically qualified for the duties of his office

Section 2 Section two thousand five hundred two B of said act as added by the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 101) is hereby amended to read as follows

Section 2502-B Powers and Duties of the State Planning Board The State Planning Board shall have the power and its duty shall be

[(a)] Subject to the provisions of this act to [continue to] administer and carry out the provisions of the [State Planning Board Law] State Planning Code and such other laws as shall be assigned to it by the General Assembly

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Barr,	Geltz,	Mallery,	Tarr,
Barrett,	Haluska,	McPherson, Jr.,	Taylor,
Berger,	Hare,	Meade,	Toole,
Blass,	Holland,	Neff,	Wagner,
Crowe,	Homsher,	Pechan,	Walker,
Dent,	Kephart,	Peelor,	Watkins,
Diehm,	Lane,	Rosenfeld,	Watson,
DiSilvestro,	Leader,	Ruth,	Wolfe,
Doehla,	Letzler,	Scarlett,	Wood, L. H.,
Donlan,	Lord,	Stevenson,	Wood, T. N.,
Farrell,	Mahany,	Stiefel,	Yosko,
Frazier,			

#### NAYS—5

Chapman,	Snowden,	Tallman,	Wade,
Robinson,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1062, as follows:

An Act to further amend section two thousand seven hundred eighteen of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing boroughs to make appropriations from the general borough funds for recreation purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand seven hundred eighteen of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) is hereby further amended to read as follows

Section 2718 Maintenance and Tax Levy All expenses incurred in the operation of such recreation places established as herein provided shall be payable from the treasury of such borough or boroughs township city county or school district as may be provided for by agreement of the corporate authorities The local authorities of each borough having power to appropriate money therein may annually appropriate and cause to be raised by

taxation [such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such borough] an amount necessary for the purpose of maintaining and operating recreation places

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1102, as follows:

An Act defining cold storage requiring licenses to operate cold storage warehouses and locker plants requiring records reports marking wrapping protecting limiting time of storage disposition sale return or transfer of foods in cold storage conferring powers on the Department of Agriculture including adoption of rules and regulations special permits for storage of feeding stuffs for animal use and providing penalties for violation of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions For the purpose of this act the following terms and words shall mean as follows

"Cold Storage" shall mean the storage or keeping of articles of food at or below a temperature of forty-five (45) degrees Fahrenheit in a cold storage warehouse or locker plant

"Cold Storage Warehouse" shall mean any place artificially or mechanically cooled to or below a temperature of forty-five (45) degrees Fahrenheit in which articles of food except fresh unprocessed fruits and vegetables are placed and held for thirty (30) days or more except a restaurant store home or eating club using its cold storage space exclusively or a place or structure used exclusively for the storage of articles of food for the occupant owner or maintainer thereof which storage place or space is not principally used for renting sale or profit

"Locker Plant" shall mean any cold storage warehouse or portion thereof which provides separate individual lockers cabinets boxes baskets or other receptacles for the storage of food products for home or personal use only and not for purpose of sale

"Department" shall mean the Department of Agriculture and its employes or agents

"Licensee" shall mean the owner or operator of a cold storage warehouse and/or locker plant

Section 2 Licenses Application Investigation Fee

No person firm or corporation shall maintain or operate

a cold storage warehouse or locker plant without a license so to do issued by the Department of Agriculture Any person firm or corporation desiring such a license shall make written application to the Department for that purpose or purposes stating the location of the cold storage warehouse and/or locker plant

The Department thereupon shall cause an examination to be made of said cold storage warehouse or locker plant and if it be found to be in a proper sanitary condition and otherwise properly equipped for its intended use the Department shall issue a license authorizing the applicant to operate the same as a cold storage warehouse or locker plant during one (1) year the license shall be issued upon payment by the applicant of a license fee of fifty dollars (\$50) to the Department and shall thereafter be paid by the Department into the State Treasury through the Department of Revenue for the use of the Commonwealth Provided That all licenses now in effect shall continue in full force for the period for which the license was paid if the licensee complies with all of the other provisions of this act

### Section 3 Records and Reports by Licensee

Every licensee shall keep accurate records of the articles of food received in and the articles of food withdrawn from any cold storage warehouse and shall assign to each lot of food when received for storage a distinguishing lot number for the purpose of identification and shall keep an accurate record of such lot number showing date of receipt and the date of removal of each lot of food or portion thereof as well as the particular kind and amount of such food except foods stored in locker plants in separate individual lockers cabinets boxes baskets or other receptacles for home or personal use only and not for purpose of sale and the Department shall have free access to such records at any time Such records shall also show the name and address of the owner or person placing food in a cold storage warehouse and the name and address of the person removing such food from the warehouse

Every licensee operating a locker plant shall assign a designating number to each locker cabinet box basket or other receptacles and keep an accurate record of the name and address of the lessee of each by its designated number

All of the required records shall be kept by the licensee and be made available to the Department for a period of three (3) years following the withdrawal of the foods covered by such records

It shall be the duty of such person firm or corporation licensed to operate a cold storage warehouse to file with the Department on or before the sixth day of January April July and October of each year a report setting forth in itemized particulars the kinds and quantities of food products held in cold storage in such warehouse The report shall be made on printed forms prepared and supplied by the Department

### Section 4 Marking Food with Date of Storage and Lot Number

No person firm or corporation shall place receive or keep in any cold storage warehouse in this State articles of food unless the same shall be plainly marked stamped or tagged either upon the container in which they are packed or upon the article of food itself showing the lot number and the month and year when placed thereon or in the case of articles of food being stored in bulk the month and year of original storage shall be marked upon the doors or walls of the rooms in which the same are stored but each article must show its lot numbers Provided That food stored in a locker plant when placed in individual lockers cabinets boxes baskets or other receptacles for home or personal use only and not for the purpose of sale may not be required to be so stamped or marked

### Section 5 Unlawful to Change Markings

It shall be unlawful for any person to alter mutilate destroy obscure obliterate or remove any mark or tag required by this act to be placed on any article while held

in cold storage or while in transit from one cold storage warehouse to another

### Section 6 Inspection of Cold Storage Warehouse or Locker Plants and Records

The Department shall inspect and supervise all cold storage warehouses and locker plants and make such inspection of articles of food therein as well as all records as it may deem necessary to secure the proper enforcement of this act and its agents shall have access to all cold storage warehouses and locker plants at all reasonable times

The Department may appoint such persons as it deems qualified to make such inspection under this act

### Section 7 Insanitary Condition of Cold Storage Warehouse or Locker Plants Notice Revocation of License

In case any cold storage warehouse or locker plant or any part thereof shall at any time be deemed by the Department to be in an insanitary condition or not properly equipped for its intended use it shall notify the licensee of such condition and upon the failure of the licensee to put such cold storage warehouse or locker plant in a sanitary condition or to properly equip the same for its intended use within a time to be designated by the Department it shall revoke such license

### Section 8 Foods to be Wrapped or Protected

Every article of food placed in a cold storage warehouse or locker plant shall be securely packed wrapped or enclosed in a suitable container to properly protect it and keep it in a sanitary condition unless the article is of such a nature that it may be kept in a sanitary condition when stored in bulk

### Section 9 Unwholesome or Diseased Food and Special Permit for Animal Feeds

It shall be unlawful for any person firm or corporation to place in any cold storage warehouse or locker plant to keep therein or to sell offer or expose for sale any diseased tainted or otherwise unwholesome food Provided however That feeding stuffs for animals use when registered with the Department properly labeled may be stored in certain parts of a cold storage warehouse if the licensee secures in advance a special written permit from the Department for such storage and complies fully with the rules and regulations governing the handling storage and other requirements of the Department to protect and safeguard against contamination or adulteration of the foods stored therein for human use or that may be stored in such cold storage warehouse The finding of any non-registered or improperly labeled feeding stuffs for animal use in a cold storage warehouse will be prima facie evidence of willful violation of this act and the owner of such products as well as the licensee may be held for violation of this act and subject to its penalties

### Section 10 Length of Storage Period

No person or corporation shall keep or permit to remain in any cold storage warehouse or locker plant any article of food beyond the time when it is sound and wholesome and fit to remain in storage If any article of food is found to be fit for immediate consumption but unfit for further storage such article of food shall at once be removed from storage and not again stored No article of food shall be kept or permitted to remain in any cold storage warehouse or warehouses for a longer aggregate period than twenty-four (24) calendar months except by order of the Department Upon evidence satisfactory to the Department that the food is sound and wholesome and fit for further storage the Department may in its discretion grant an extension of the storage period The Department may in its discretion at any time notwithstanding the period of storage cause any article of food to be examined to ascertain if the food is sound and wholesome and fit for further storage

### Section 11 Disposition and Sale

In the event that any article of food is held in a cold storage warehouse or warehouses for a period of longer than twenty-four (24) calendar months without extension having been applied for and granted by the Department and neither the operator of the cold storage

warehouse nor the Department can locate the owner of the said article of food after ten (10) days' notice by registered mail directed to the last known address of such owner by the officials of the cold storage warehouse and a copy of said notice to the Department then and in that event the Department shall have the power to order the disposition and sale of the said article of food for the purpose of payment of charges for storage or other valid liens against same. If a sale as herein provided is ordered by the Department the proceeds of such sale shall be applied first to cover the expense of ascertaining the condition of such food second to cover the payment of any and all charges for storage and service in connection with said property and third for any other valid liens against the said property. Any balance then remaining from the proceeds of the sale shall be paid to the owner of the said property if such owner can be located and in the event the owner cannot be located within one (1) year of date of notification then any balance shall be paid into the Treasury of the Commonwealth of Pennsylvania.

In carrying out any order of the Department for sale or disposition of any property under the provisions of this section the owner or operators of the cold storage warehouse are hereby relieved from any liability to the original owner or any other person or persons for the custody of said property and from any legal liability under any warehouse receipt issued and outstanding covering the said property.

#### Section 12 Return and Transfer of Goods

It shall be unlawful to return to any cold storage warehouse any article of food which has been once released from storage for the purpose of placing it on the market for sale but nothing in this section shall be construed to prevent the transfer of foods from one cold storage warehouse to another. Provided That all prior markings stampings and taggings upon such articles shall remain thereon and the records of the cold storage warehouse receiving such foods shall show that the foods were transferred from another cold storage warehouse or warehouses and placing into the records the original date when such foods were entered for their initial storage. The owner of the foods or his agents shall be responsible as well as the licensee that such information is recorded in the records. And Provided further That such transfer shall not be made for the purpose of evading any provision of this act.

#### Section 13 Rules and Regulations

The Department shall make adopt and promulgate rules and regulations for the purpose of carrying into effect the provisions of this act.

#### Section 14 Penalties

Any person co-partnership association or corporation violating any of the provisions of this act shall for the first offense upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars (\$50) and in default thereof such person or the responsible officers and agents of the corporation or association shall be sentenced to undergo imprisonment for not more than thirty (30) days and for a second or subsequent offense be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) or in the case of individuals and the responsible officers and agents of corporations and associations to undergo imprisonment not exceeding six (6) months or both.

#### Section 15 Repealer

The act approved the twenty-sixth day of June one thousand nine hundred nineteen (P. L. 670) entitled "An act defining cold storage and regulating time of storage of certain articles of food and providing penalties for the violation of the provisions of this act" and the amendments thereto and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Dowlan,	Mahany,	Stiefel,	Wood, T. M.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1109, on third reading, entitled:

An Act to further amend subsection (d) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primaries and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by increasing the compensation of judges of elections.

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1136, as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The sum of one hundred sixty million dollars (\$160,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Assist-

ance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and administrative expenses attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine

Section 2 Out of the moneys appropriation by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorney's fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department respectively in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations In the case of the Department of the Auditor General said allocation shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the Auditor General or a majority thereof and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the State Treasurer or a majority thereof

Section 4 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time to provide necessary medical dental and surgical care for children as provided in the act of July 5 1947 P. L. 1301 Provided however that during the biennium beginning the first day of June one thousand nine hundred forty-nine not more than one million dollars (\$1,000,000) shall be spent by the Department of Public Assistance to provide such necessary medical dental or surgical care provided however that if the receipt of federal funds is delayed during the month of May one thousand nine hundred forty-nine for the payment of assistance and administrative expenses as provided by the public assistance law there is hereby appropriated out of the moneys appropriated by section one of this act sufficient moneys to meet the deficiency caused by the delay in the receipt of federal funds

Section 5 The provisions of this act shall become effective immediately upon enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1137, as follows:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven hundred fifty thousand (\$750,000) or so much thereof as may be necessary is hereby specifically appropriated out of moneys in the General Fund to the Department of Commerce for the two fiscal years beginning the first day of June one thousand nine hundred forty-nine to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics for the development and maintenance of State airports for assistance to political subdivisions and municipal authorities of the Commonwealth in the construction and improvement of airports and other aeronautical facilities including the making of surveys and plans and the necessary construction work and equipment Provided however That no more shall be expended from this item for such purposes or any of them than may be required to match an equal sum contributed by any political subdivision or municipal authority of the Commonwealth or by the Federal Government or by a political subdivision or municipal authority and the Federal government

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1173, as follows:

An Act to amend section six and twelve of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" authorizing the transfer from the one one-hundred-twentieth (1/120) to the one one-hundredth (1/100) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement upon such transfers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" is hereby amended by adding at the end thereof a new paragraph to read as follows

#### \* \* \* \* \* Section 6 County Employees' Retirement Fund

The board may at any time by rule authorize members of the retirement system whether original or new members to transfer from the one one-hundred-twentieth (1/120) class to the one one-hundredth (1/100) class and whenever such transfer shall be authorized salary deductions applicable to such transferred members shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundred-twentieth (1/120) class

Section 2 Section twelve of said act is hereby amended by adding at the end thereof a new paragraph to read as follows

#### \* \* \* \* \* Section 12 Superannuation Retirement Allowance

Whenever the board shall by rule authorize members of the retirement system to transfer from the one one-hundred-twentieth (1/120) class to the one one-hundredth (1/100) class the county annuity shall be calculated as follows

- (a) For service prior to the time of transfer at the one one-hundred twentieth (1/120) rate
- (b) For service subsequent to the time of transfer to the time of retirement at the one one-hundredth (1/100) rate
- (c) For all service prior to the time of commencing contribution as the time be contributed at the one one-hundred-twentieth (1/120) rate bears to the total time of contribution and as the time be contributed at the one one-hundredth (1/100) rate bears to the total time of contribution

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1174, as follows:

An Act to amend section five and to further amend section eleven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" authorizing the transfer from the one one-hundred-twentieth (1/120) to the one one-hundredth (1/100) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement upon such transfers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" is hereby amended by adding at the end thereof a new paragraph to read as follows

#### \* \* \* \* \* Section 5 County Employees Retirement Fund

The board may at any time by rule authorize members of the retirement system whether regular or new members to transfer from the one one-hundred-twentieth (1/120) class to the one one-hundredth (1/100) class and whenever such transfer shall be authorized salary deductions applicable to such transferred members shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundred-twentieth (1/120) class

Section 2 Section eleven of said act as amended by the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 777) is hereby further amended by adding at the end thereof a new paragraph to read as follows

#### Section 11 Superannuation Retirement Allowance

Whenever the board shall by rule authorize members of the retirement system to transfer from the one one-hundred-twentieth (1/120) class to the one one-hundredth (1/100) class the county annuity shall be calculated as follows

- (a) For service prior to the time of transfer at the one one-hundred-twentieth (1/120) rate
- (b) For service subsequent to the date of transfer to the date of retirement at the one one-hundredth (1/100) rate
- (c) For all service prior to the time of commencing contribution as the time he contributed at the one one-hundred-twentieth (1/120) rate bears to the total time of contribution and as the time he contributed at the one one-hundredth (1/100) rate bears to the total time of contribution

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	

Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wagner,
Chapman,	Homsher,	Robinson,	Wade,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1216, as follows:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes of certain political subdivisions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All penalties and interest imposed on unpaid delinquent county city borough town township school district poor district and county institution district taxes for the tax year one thousand nine hundred forty-eight and all previous years except those imposed on unpaid delinquent taxes by cities of the first class and by school districts of the first class having a population in excess of one million five hundred thousand persons assessed and levied against any parcel or parcels of real estate are hereby abated without the necessity of further action by the authority levying the tax if the unpaid delinquent taxes are paid as hereinafter provided unless the authority levying the tax shall have notified the county treasurer within thirty days after this act becomes effective that the taxing authority has rejected by a majority vote the provisions of this act

In order to receive the benefits of this act the entire face amount of the unpaid delinquent taxes due for the year one thousand nine hundred forty-eight and for all previous years shall be paid on or before the first day of November one thousand nine hundred forty-nine and the taxes on such parcel or parcels of real estate levied for the year one thousand nine hundred forty-nine together with any interest and penalties due thereon shall be paid on or before the first day of November one thousand nine hundred forty-nine

Section 2 Any taxpayer or owner having the right of redemption may anticipate the payment of such delinquent taxes for the year one thousand nine hundred forty-eight and previous years at any time on or before the first day of November one thousand nine hundred forty-nine by paying the entire amount of such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes assessed and levied for the year one thousand nine hundred forty-nine shall be required at the time of such payment

Section 3 This act shall be construed to apply to all such taxes whether or not such taxes have been returned to the tax claim bureau commissioner's office or to the treasurer of any city for nonpayment or liens therefor have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court in said county or where real property has been sold to a county city borough town township school district or county institution district

at a tax sale or on a tax lien and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a county city borough town township school district or county institution district at a tax sale or on a tax lien and where the period of redemption has not expired The taxpayer shall be liable for the payment of all costs incurred except the solicitor's fees when such taxes have been returned for nonpayment or liens therefor have been filed in the office of the prothonotary or proceedings for the collection thereof have been instituted in any court

Section 4 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at sheriff's or other judicial sale grantee transferee mortgagee or owner having the right of redemption under a tax sale or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied whether separated or not

Section 5 Any taxpayer or owner having the right of redemption shall have the right to pay the delinquent taxes assessed and levied against any parcel or parcels of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision

The county commissioners shall at the cost of the county cause to be published two times in not more than two newspapers of general circulation throughout the county and in the legal newspaper if any a notice to the taxpayers giving a synopsis of the terms of this act setting forth the benefits provided by the act and the necessary conditions required by the taxpayers in order to receive the same Upon application either in person or in writing by any taxpayer or owner the tax levying authorities the tax collector the tax claim bureau or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayers or owners a statement of the delinquent taxes owed by him to such political subdivision showing the face amount the penalty if any the interest if any and any costs or other charges in detail against such real property as shown by the records in his custody

Section 6 In order to enable the taxpayer or owner having the right of redemption under a tax sale to receive the full benefits of this act no real property shall be sold for nonpayment of taxes before November first one thousand nine hundred forty-nine and any tax sale shall be adjourned or readjusted or right of redemption extended as often as may be necessary for this purpose If any tax sale is adjourned or readjusted or right of redemption extended after advertisement or sale no additional advertisement or notice shall be necessary for the adjourned or readjusted sale or right of redemption No such adjournment or readjustment or redemption failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid or sale had subject to redemption but the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this act Provided however That in every case where a taxpayer avails himself of the privileges or benefits of this act the period during which payment of the said delinquent taxes is postponed or continued under this act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes

Section 7 All acts and parts of acts general local and special inconsistent herewith are hereby suspended during the time this act shall be in effect

Section 8 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	McPherson, Jr.,	Tallman,	Yosko,
Frazier,			

#### NAYS—1

Mallery,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1222, as follows:

An Act to further amend section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by granting per diem and other legislative employees now State employees credit for such legislative service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes hereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 342) is hereby further amended to read as follows

#### Service Allowance

Section 10 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each original

member by the retirement board for each year of prior service as a State employe as defined in section one paragraphs six and thirteen of this act As soon as practicable after each original member shall have joined the retirement association the retirement board shall issue to him or her a certificate certifying to the aggregate length of his or her prior service Such certificate shall be final and conclusive as to his or her prior service unless thereafter modified by the retirement board either upon application by the member or upon its own initiative The time during which a State employe is absent without pay shall not be counted in computing the service of the average salary of a contributor

In the case of any contributor who at any time prior to becoming such contributor has been a member of the General Assembly or a per diem or other legislative employe the period for such service as such member of the General Assembly or as such per diem or other legislative employe shall be included in computing the period of service of such contributor as if he or she had been an original member

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL DROPPED FROM CALENDAR

Mr. WALKER. Mr. President, I move that House Bill No. 1260, on third reading, entitled:

An Act authorizing cities of the first class to adopt and enforce ordinances relating to health and sanitary conditions of leased dwellings to create Dwelling Inspection Boards in the Department of Public Health in such cities to require tenancy permits to be issued and to provide penalties for violations thereof

be dropped from the calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1262, on third reading, entitled:

An Act to amend sections ten and eleven of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled "An act relating to magistrates and magistrates' courts in the city of Phila-

delphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts by permitting the central police court to close each day providing for the assignment of magistrates to divisional police courts eliminating provisions requiring rotation of magistrates assigned to police stations

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1291, as follows:

An Act to further amend subsection (a) of section nine of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of health and on the Insurance Commissioners each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporation and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by further providing for the determination of persons of low income

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section nine of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corpora-

tions and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 360) is hereby further amended to read as follows

Section 9 Determination of Income Status Rights of Persons of Low Income [(a) The following shall be a person or persons of low income and a person or persons of over-income eligible for the benefits of and under this act

Persons of low income

(1) In the case of persons without dependents

Any person in receipts of an income for the preceding twenty-five weeks averaging not more than thirty dollars weekly

(2) In the case of persons with one dependent

Any person in receipt of an income that together with the income of the dependent averaged during the preceding twenty-five weeks and more than forty-five dollars weekly

(3) In the case of persons with more than one dependent

Any person in receipt of an income that together with the incomes of all his income earning dependents averaged during the preceding twenty-five weeks not more than sixty dollars weekly

Persons of over-income

(1) All persons not of low income shall be persons over-income (1) The nonprofit medical service corporation shall from time to time by action of its members fix the requisites for persons of low income eligible for the benefits of and under this act such requisites to afford due consideration to the marital status and to the number of dependents of the persons involved and such requisites to be consistent with the declaration of necessity contained in section two of this act any requisites thus fixed shall be subject to the approval of the Insurance Commissioner of the Commonwealth of Pennsylvania

(2) All persons not meeting the requisites for persons of low income as thus fixed shall be persons of over-income

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meads,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. E.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1292, as follows:

An Act to further amend subsection (a) of section two hundred nineteen of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporation may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further providing for the determination of persons of low income by nonprofit medical service corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section two hundred nineteen of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 556) is hereby amended to read as follows

Section 219 Special Procedure for Incorporation of Non-profit Medical Service Corporations

(a) Nine or more natural persons of full age and of either sex married or single all of whom are residents of the Commonwealth and citizens of the United States Provided however That a majority of said persons are doctors of medicine may form a nonprofit corporation under the provisions of this act having for its purpose the establishing maintaining and operating of a nonprofit medical service plan whereby medical services may be provided to persons of low income and persons of over-income and their dependents [who shall be determined as follows

Persons of low income shall be

1 In case of persons without dependents

Any person in receipt of an income for the preceding twenty-five weeks averaging not more than thirty dollars weekly

2 In case of persons with one dependent

Any person in receipt of an income that together with the income of the dependent averaged during the preceding

ing twenty-five weeks not more than forty-five dollars weekly

3 In case of persons with more than one dependent  
Any person in receipt of an income that together with the incomes of all his income earning dependents averaged during the preceding twenty-five weeks not more than sixty dollars weekly

Persons of over-income shall be

1 All persons not persons of low income shall be persons of over income The requisites for persons of low income eligible for medical services shall be fixed from time to time by the members of such corporation such requisites shall be consistent with the policy of providing medical the number of dependents of the persons involved and shall be consistent with the policy of providing medical services to persons who are unable to provide such services for themselves or their dependents without depriving themselves or their dependents of such necessities of life as food clothing and shelter and requisites thus fixed shall be subject to the approval of the insurance commissioner of the Commonwealth of Pennsylvania all persons not meeting the requisites for persons of low income as thus fixed shall be persons of over-income

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett.	Haluska.	Neff.	Taylor.
Berger.	Hare.	Pechan.	Toole.
Blass.	Holland.	Peelor.	Wade.
Chapman.	Homsher.	Robinson.	Wagner.
Crowe.	Kephart.	Rosenfeld.	Walker.
Dent.	Lane.	Ruth.	Watkins.
Diehm.	Leader.	Scarlett.	Watson.
DiSilvestro.	Letzler.	Snowden.	Wolfe.
Doehla.	Lord.	Stevenson.	Wood, L. H.
Donlan.	Mahany.	Stiefel.	Wood, T. N.
Farrell.	Mallery.	Tallman.	Yosko.
Frazier.	McPherson, Jr.		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1317, as follows:

A Supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners extending the jurisdiction

powers and duties of the Delaware River Port Authority and defining such additional jurisdiction powers and duties conferring power of approval upon the Legislature to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor is hereby authorized to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey Creating The Delaware River Joint Commission as a Body Corporate and Politic and Defining Its Powers and Duties" which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the first day of July one thousand nine hundred thirty-one and on behalf of the State of New Jersey by the New Jersey Interstate Bridge Commission by its members on the first day of July one thousand nine hundred thirty-one and which was consented to by the Congress of the United States by Public Resolution No twenty-six being Chapter two hundred fifty eight of the Public Laws Seventy-second Congress approved the fourteenth day of June one thousand nine hundred thirty-two which supplemental compact and agreement shall be in substantially the following form

"Supplemental agreement between the Commonwealth of Pennsylvania and the State of New Jersey amended and supplementing the agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey Creating The Delaware River Joint Commission as a Body Corporate and Politic and Defining Its Powers and Duties' by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority by changing the method of appointment of the Commissioners by extending the jurisdiction powers and duties of said The Delaware River Port Authority and defining such additional jurisdiction powers and duties and by conferring power of veto upon the Governor"

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree each with the other as follows

(1) Article I of the said agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating The Delaware River Joint Commission as a body corporate and public and defining its powers and duties which was executed on behalf of the Commonwealth of Pennsylvania by the Governor on the first day of July one thousand nine hundred thirty-one and on behalf of the State of New Jersey by the New Jersey Interstate Bridge Commission by its members on the first day of July one thousand nine hundred thirty-one and which was consented to by the Congress of the United States by Public Resolution No twenty-six being Chapter two hundred fifty-eight of the Public Laws Seventy-second Congress approved the fourteenth day of June one thousand nine hundred thirty-two is amended to read as follows

#### Article I

[There is hereby created al The body corporate and politci [to bel heretofore known as The Delaware River Joint Commission hereby is continued under the name of The Delaware River Port Authority (hereinafter in this agreement call the ["Commission")] "Authority" which shall constitute the public corporate instrumentality of the Commonwealth of Pennsylvania and the State of New Jersey [for] when exercising any of the folloying public purposes and which shall be deemed to be exercising an essential governmental function in effectuating such purposes to wit

(a) The operation and maintenance of the bridge owned

jointly by two States [and the City of Philadelphia as its interests may appear] across the Delaware River between the City of Philadelphia in the Commonwealth of Pennsylvania and the City of Camden in the State of New Jersey including its approaches and the making of additions and improvements thereto

(b) The effectuation establishment construction operation and maintenance of railroad or other facilities for the transportation of passengers across the said bridge including extensions thereof to the vicinity of Race Street and Eighth Street in the City of Philadelphia and to the vicinity of Carman Street and Haddon Avenue in the City of Camden

(c) [The investigation of the necessity for additional means of communication between the Commonwealth of Pennsylvania in the vicinity of Philadelphia and the State of New Jersey opposite thereto and between the ports of Philadelphia and Camden and the sea and making of such studies surveys and estimates as may be necessary to determine the feasibility and cost of any such additional means of communication whether the same be by bridge tunnel canal or otherwise and] The improvement and development of the Port District by or through the acquisition construction maintenance operation in whole or in part of any and all projects for the improvement and development of the Port District or incidental thereto either directly by purchase lease or contract or by lease or agreement with any other public or private body or corporation

(d) Cooperation with all other bodies interested or concerned with or affected by the promotion development or use of the Delaware River and the Port District

(e) The Procurement from the Government of the United States of any consent which may be requisite to enable any project within its powers to be carried forward

(f) The promotion [of the Delaware River] as a highway of commerce [between Philadelphia and Camden and the seal of the Delaware River

(g) The promotion of increased passenger and freight commerce on the Delaware River [both freight and passenger] and for [this] such purpose the publication of [such] literature and the adoption of [such] any other means as may be deemed appropriate

(h) To study and make recommendations to the proper authorities for the improvement of terminal lighterage wharfage warehouse and other facilities necessary for the promotion of commerce on the Delaware River

(i) Institution through the Attorneys General of Pennsylvania and New Jersey of or intervention in any litigation involving rates preferences rebates or other matters vital to the interests of the port district

(j) Any other functions which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey insofar as concerns the promotion and development of the ports of Philadelphia and of Camden and the use by commercial vessels of their facilities

(2) Article II of said agreement is amended to read as follows

#### Article II

The [commission] authority shall consist of sixteen commissioners eight residents voters of the Commonwealth of Pennsylvania and eight resident voters of the State of New Jersey who shall serve without compensation

[The first eight commissioners for the Commonwealth of Pennsylvania shall be the Governor of the Commonwealth the Auditor General the State Treasurer the Mayor of the City of Philadelphia and the four additional persons now serving as members of the Pennsylvania Commission existing by virtue of Act Number Three hundred thirty-eight of the Commonwealth of Pennsylvania approved July nine one thousand nine hundred and nineteen (Pamphlet Law eight hundred fourteen) and acts amendatory thereof and supplementary thereto]

[The first eight commissioners for the State of New Jersey shall be the eight individuals now holding office as members of the New Jersey Interstate Bridge Commission existing by virtue of Chapter Two hundred seventy-

of the Laws of said State of one thousand nine hundred twenty-nine approved May sixth one thousand nine hundred twenty-nine and acts amendatory thereof and supplementary thereto which said eight individuals are hereby appointed by said State as such commissioners who shall serve for their unexpired terms as members of the New Jersey Interstate Bridge Commission Succeeding commissioners shall be elected by the Legislature to serve for terms of five years]

[For the Commonwealth of Pennsylvania the Governor the Auditor General the State Treasurer and the executive head of the City of Philadelphia in office at the time shall always be members of the commission and in addition thereto there shall be four members appointed by the Governor who shall be known as appointive members Whenever a vacancy occurs in the appointive membership of the commission the Governor shall appoint a member to serve for a term of five years from the date of his appointment]

[For the State of New Jersey whenever a vacancy in the office of commissioner shall occur such vacancy shall be filled for the unexpired term by the Legislature If the Legislature shall not be in session when the vacancy occurs such vacancy shall be filled by the Governor and such appointee shall hold office until the Legislature convenes]

The present appointive members of the commission shall continue to serve respectively as members of the authority and commissioners thereof until the expiration of their terms and until their successors shall be appointed and qualify the terms of the present non-appointive members of the Commission for the Commonwealth of Pennsylvania shall expire upon the effective date of this act

The commissioners for the state of New Jersey shall be appointed by the Governor with the advice and consent of the Senate for terms of five (5) years and in case of a vacancy occurring in the office of commissioner during a recess of the Legislature it may be filled by the Governor by an ad interim appointment which shall expire at the end of the next regular session of the Senate unless a successor shall be sooner appointed and qualify and after the end of the session no ad interim appointment to the same vacancy shall be made unless the Governor shall have submitted to the Senate a nomination to the office during the session and the Senate shall have adjourned without confirming or rejecting it and no person nominated for any such vacancy shall be eligible for an ad interim appointment to such office if the nomination shall have failed of confirmation by the Senate

The eight (8) commissioners for the Commonwealth of Pennsylvania shall be appointed by the Governor for terms of five (5) years Provided that not more than six (6) commissioners shall be members of the same political party

All commissioners shall continue to hold office after the expiration of terms for which they are appointed [or elected] unless and until their respective successors are appointed and [qualified] qualify but no period during which any commissioner shall hold over shall be deemed to be an extension of his term of office for the purpose of computing the date on which his successor's term expires (3) Article IV of said agreement is amended to read as follows

#### Article IV

For the effectuation of its authorized purposes the [commission] authority is hereby granted the following powers

- (a) To have perpetual succession
- (b) To sue and be sued
- (c) To adopt and use an official seal
- (d) To elect a chairman vice-chairman secretary and treasurer and to adopt suitable by-laws for the management of its affairs The secretary and treasurer need not be members of the [commission] authority
- (e) To appoint counsel and such other officers and such agents and employes as it may require for the performance of its duties and fix and determine their qualifications and compensation

- (f) To enter into contracts
- (g) To acquire own hire use operate and dispose of personal property

- (h) To acquire own use lease operate mortgage and dispose of real property and interests in real property and to make improvements thereon

- (i) To grant [the use of] by franchise lease or otherwise [and to make charges for the use of any property or facility owned or controlled by it] the use of any property or facility owned or controlled by the authority and to make charges therefor

- (j) To borrow money upon its bonds or other obligations either with or without security

- (k) To exercise the right of eminent domain within the Port District

- (l) To determine the exact location system and character of and all other matters in connection with any and all improvements or facilities which it may authorized to own construct establish effectuate operate or control

- (m) In addition to the foregoing to exercise the powers duties authority and jurisdiction hereto conferred and imposed upon the aforesaid [Pennsylvania Commission and upon the aforesaid New Jersey Interstate Bridge Commission severally or upon both of said commissions jointly by the Commonwealth of Pennsylvania or the State of New Jersey] The Delaware River Joint Commission by the Commonwealth of Pennsylvania or the State of New Jersey or both of the said two States and

- (n) To exercise all other powers not inconsistent with the constitutions of the two States or of the United States which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers except the power to levy taxes or assessments and generally to exercise in connection with its property and affairs and in connection with property within its control any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs

The authority shall have full power and authority to acquire purchase construct lease operate maintain and undertake any project including terminal terminal facility transportation facility or any other facility of commerce and to make charges for the use thereof The authority is authorized to make expenditures anywhere in the United States and foreign countries to pay commissions and hire or contract with experts and consultants and otherwise to do indirectly anything which the authority may do directly The authority shall have such additional powers and duties as may hereafter be delegated to or imposed upon it from time to time by the action of either State concurred in by legislation of the other

- (4) Article XI of said agreement is amended to read as follows

#### Article XI

The effectuation of its authorized purposes by the [commission] authority is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania and the State of New Jersey for the increase of their commerce and prosperity and for the improvement of their health and living conditions and since the [commission] authority will be performing essential governmental functions in effectuating said purposes the [commission] authority shall not be required to pay any taxes or assessments upon any property acquired or used by it for such purposes and the bonds or other securities or obligations issued by the [commission] authority their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania and the State of New Jersey

The authority may in its discretion enter into agreements with municipalities in the Port District for the payment of fair and reasonable sums by the authority in connection with any terminal or terminal facility acquired or used by it not in excess of the sum last paid as taxes upon such property prior to its acquisition or use

by the authority to the end that municipalities in the Port District may not suffer undue loss of taxes and assessments by reason of the acquisition and use of property therein by the authority. Every municipality in the Port District is hereby authorized and empowered to enter into such agreements with the authority and to accept such payments. This power to pay sums in lieu of taxes shall not apply to properties or facilities now owned or operated by the authority.

(5) Article XII of said agreement is amended to read as follows

#### Article XII

The [commission] authority shall make annual reports to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey setting forth in detail its operations and transactions and may make such additional reports from time to time to the Governors and Legislatures as it may deem desirable.

Whenever the [commission] authority after investigation and study shall have concluded plans with estimates of cost and means of financing any new project other than those described in article one subdivision (b) hereof for transportation across or under the Delaware River within the [area hereinbefore described] Port District any new project for the improvement of the Delaware River's port facilities or any other project for the mutual advantage of Pennsylvania and New Jersey and coming within the purposes for which it is created the [commission] authority shall make to the Legislatures of each State a detailed report dealing only with the contemplated project and shall request of said Legislatures authority to proceed with the project described and it shall not be within the power of the [commission] authority to construct erect or otherwise acquire any facility or project except those described in article one subdivision (b) hereof unless and until the Legislatures of both States shall have authorized the [commission] authority to proceed with the project outlined in its special report thereon.

(6) Add to said agreement a new article to be entitled and to read as follows

#### Article XIII

The following words as herein used shall have the following meanings

1 "Port District" shall include the counties of Chester Delaware Montgomery Philadelphia and that portion of Bucks County south of the boundary line between Mercer County and Burlington County in the State of New Jersey as extended across the Delaware River to the Pennsylvania shore of said river in Pennsylvania and the counties of Atlantic Burlington Camden Cape May Cumberland Gloucester Ocean and Salem in New Jersey.

"Terminals" shall include all terminals used in connection with the transportation of passengers and freight by water or air.

"Transportation facility" shall include tunnels bridges airports boats carfloats lighters tugs floating elevators barges scows or harbor craft of any kind.

"Terminal facility" shall include wharves piers slips ferries docks basins carfloats floatbridges dredging equipment radio receiving and sending stations tracks yards sheds switches connections overhead appliances bunker coal and fresh water stations to facilitate passenger transportation and for the handling loading or unloading of freight at terminals.

"Facility" shall include all works buildings structures appliances and appurtenances necessary and convenient for the proper construction equipment maintenance and operation of a facility or facilities or any one or more of them.

"Real property" shall include land under water as well as uplands and all property either now commonly or legally defined as real property or which may hereafter be so defined.

"Personal property" shall include cases in action and all other property now commonly or legally defined as

personal property or which may hereafter be so defined.

"To lease" shall include to rent or to hire.

"Rule or regulation" until and unless otherwise determined by the Legislatures of both States shall mean any rule or regulation not inconsistent with the Constitution of the United States or of either State and subject to the exercise of the power of Congress and shall include charges rates rentals or tolls fixed or established by the authority within its jurisdiction.

"Municipality" shall include a county city borough village township town public agency public authority or political division.

"Plural or singular" The singular wherever used herein shall include the plural.

"Commissioners" shall mean members of the authority.

Wherever action by the legislation of either State is herein referred to it shall mean an act of the Legislature duly adopted in accordance with the provisions of the Constitution of the State.

2 Upon its signature on behalf of the State of New Jersey and the Commonwealth of Pennsylvania such supplemental compact or agreement and the compact or agreement so amended and supplemented shall become binding and shall have the force and effect of a statute of the Commonwealth of Pennsylvania and The Delaware River Port Authority shall thereupon become vested with all the powers rights and privileges and be subject to the duties and obligations contained therein as though the same were specifically authorized and imposed by statute and the Commonwealth of Pennsylvania shall be bound by all of the obligations assumed by it under such supplemental compact or agreement and under such compact or agreement so amended and supplemented and the Governor shall transmit an original signed copy thereof to the Secretary of the Commonwealth for filing in his office.

3 The Governor is hereby authorized to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent and approval of such supplemental compact or agreement.

4 Nothing contained in this act nor in the said supplemental compact or agreement shall be deemed to affect any contract agreement or obligation heretofore entered into or created by the commission and any and all agreements contracts or obligations of the commission shall be assumed and performed by The Delaware River Port Authority as fully and to the same extent as required by the terms thereof to be performed by the commission.

5 Any and all statutes or parts of statutes inconsistent with the provisions of this act and of the said supplemental compact or agreement are repealed.

6 Except where specifically amended or repealed by this act the provisions of the agreement authorized by the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) and the supplemental thereto are maintained in full force and effect.

7 The provisions of this act shall be severable and any of the provisions thereof shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

8 This act shall become effective immediately upon its approval by the Governor and the passage by the State of New Jersey of a substantially similar act embodying the supplemental compact or agreement between the two states hereinabove set forth.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

arr.	Geltz,	Meade,	Tarr,
arrett,	Haluska,	Neff,	Taylor,
erger,	Hare,	Pechan,	Toole,
lass,	Holland,	Peelor,	Wade,
apman,	Homsher,	Robinson,	Wagner,
owe,	Kephart,	Rosenfeld,	Walker,
ent,	Lane,	Ruth,	Watkins,
ehm,	Leader,	Scarlett,	Watson,
ilvestro,	Letzler,	Snowden,	Wolfe,
ehla,	Lord,	Stevenson,	Wood, L. H.,
onlan,	Mahany,	Stiefel,	Wood, T. N.,
arrell,	Mallery,	Tallman,	Yosko,
razier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1329, as follows:

An Act making an appropriation to the Department of Property and Supplies for the purpose of acquiring by gift or purchase on behalf of the Commonwealth the Codorus Forge and Furnace in Hellam Township York County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen hundred dollars (\$1500) so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the purpose of acquiring with the approval of the Pennsylvania Historical and Museum Commission the Codorus Forge and Furnace located on the south side of the Codorus Creek near its junction with the Susquehanna river in the extreme northeast corner of Hellam Township York County

The Department of Property and Supplies is hereby authorized to acquire with the approval of the Pennsylvania Historical and Museum Commission the said property by either gift or purchase

Section 2 The title to said real estate shall be taken in the name of the Commonwealth and shall before its acquisition be approved by the Department of Justice

Section 3 Upon acquisition of the property by the Commonwealth the Pennsylvania Historical and Museum Commission shall have full control supervision and management thereof in accordance with the provisions of The Administrative Code of 1929

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

rr,	Geltz,	Meade,	Tarr,
arrett,	Haluska,	Neff,	Taylor,
erger,	Hare,	Pechan,	Toole,
lass,	Holland,	Peelor,	Wade,
apman,	Homsher,	Robinson,	Wagner,
owe,	Kephart,	Rosenfeld,	Walker,
nt,	Lane,	Ruth,	Watkins,
ehm,	Leader,	Scarlett,	Watson,
ilvestro,	Letzler,	Snowden,	Wolfe,
shla,	Lord,	Stevenson,	Wood, L. H.,

Donlan,  
Farrell,  
Frazier,

Mahany,  
Mallery,  
McPherson, Jr.,

Stiefel,  
Tallman,

Wood, T. N.,  
Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1330, as follows:

An Act to amend section one of the act approved the twenty-fourth day of March one thousand nine hundred forty-nine and designated as Act No 24 P. L. . . entitled "An act to reenact and further amend the title and the act approved the fourteenth day of May one thousand nine hundred forty-seven (P. L. 249) entitled as amended 'An act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared used sold transported or delivered within the Commonwealth and by others requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks and providing penalties' by further regulating the procedure and the jurisdiction of the Department of Revenue and of the Board of Finance and Revenue relative to claims for refunds and by extending the provisions thereof for a further limited period of time" by inserting the words carbonated waters in and further clarifying the definition of syrups and bottled soft drinks and by extending the period of time during which the department may advance tax crowns or stamps in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fourth day of March one thousand nine hundred forty-nine and designated as Act No. 24 (P. L. . .) entitled "An act to reenact and further amend the title and the act approved the fourteenth day of May one thousand nine hundred forty-seven (P. L. 249) entitled as amended 'An act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared used sold transported or delivered within the Commonwealth and by others requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks and providing penalties' by further regulating the procedure and the jurisdiction of the Department of Revenue and of the Board of Finance and Revenue relative to claims for refunds and by extending the provisions thereof for a further limited period of time" is hereby amended to read as follows

Section 1 The title and all of the sections of the act approved the fourteenth day of May one thousand nine hundred forty-seven (P. L. 249) entitled as amended "An act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined

prepared used sold transported or delivered within the Commonwealth and by others requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks and providing penalties" as reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 884) are hereby reenacted and further amended to read as follows

An Act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared used sold transported or delivered within the Commonwealth and by others requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks and providing penalties

Section 1 This act shall be known and may be cited as the "Soft Drink Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except when used to clearly indicate a different meaning

"Bottled Soft Drinks" Bottled soft drinks as referred to in this act shall include any and all non-alcoholic beverages whether carbonated or not such as soda water ginger ale coca cola lime cola pepsy cola Dr Pepper fruit juice when any plain or carbonated water flavoring or syrup is added milk drinks when any flavoring or syrup is added carbonated water orangeade lemonade root beer or any and all preparations commonly referred to as soft drinks of whatsoever kind which are closed and sealed in glass metal paper or any other type of container or bottle and are further described to include any and all beverages commonly referred to as "soft drinks" which are manufactured with or without the use of any syrup The term "Bottled Soft Drinks" shall not include natural undiluted fruit juice vegetable juice or fluid milk (not powdered or reconstituted) to which flavoring alone is added constituting a product containing not less than two and one-half (2½) per centum butterfat when bottled closed or sealed

"Syrup or Syrups" Syrup or syrups as referred to in this act shall be defined as being the compound mixture or basic ingredient practically and commercially usable in making mixing or compounding bottled soft drinks or non-bottled soft drinks by the mixing with same of carbonated or plain water ice fruit milk or any other product among such syrups being such products as coca cola syrup cero-cola syrup lemon syrup vanilla syrup chocolate syrup cherry smash syrup rock candy syrup Dr Pepper syrup and all other syrups prepared manufactured and practically and commercially usable for the purpose of mixing non-bottled soft drinks or for preparing or manufacturing bottled soft drinks

"Manufacturer" A person engaged in producing preparing manufacturing or bottling syrup for use sale delivery or consumption

"Bottler" A person engaged in manufacturing bottling preparing for market or segregating in sealed containers any soft drink

"Distributor" Any person engaged in the purchase for resale of syrups or bottled soft drinks in original containers or bottles as prepared for market

"Import" The act of any person who or which

1 Brings or causes to be brought from any other state or territory of the United States or from any foreign

country syrups or bottled soft drinks for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original container or bottle

2 Brings or causes to be brought from any other state or territory of the United States or from any foreign country syrups or bottled soft drinks for his own use in the Commonwealth of Pennsylvania or for sale and delivery therein after the same have come to rest or storage therein whether or not in the original container or bottle

3 Purchases or receives syrups or bottled soft drinks in the original container or bottle in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

4 Purchases or receives syrups or bottled soft drinks in the original container or bottle in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein from any person who has imported the same from any other state or territory of the United States in case such syrups or bottled soft drinks have not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

5 Receives from outside the Commonwealth and in any manner uses or distributes syrups or bottled soft drinks in the Commonwealth of Pennsylvania where the tax provided in this act has not been previously paid

"Person" An individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals or a corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to a partnership limited partnership or any other form of unincorporated enterprise shall mean the partners or members thereof and as applied to corporations the officers thereof

"Stamp" The impression device stamp label or seal manufactured or printed as prescribed by the department by use of which the tax imposed or assessed hereunder, is paid

"Crown" The crown or crowns by the use of which the tax imposed or assessed hereunder is paid

"Original Container" Bottle cask keg receptacle can or other container that has been securely capped sealed crowned or corked by the manufacturer or bottler

"Department" The Department of Revenue of this Commonwealth

"Sale" Any transfer for consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

#### Section 3 Syrup and Soft Drink Permits

(a) On and after the effective date of this act it shall be unlawful for any person to continue to engage in or thereafter to begin to engage in the manufacture bottling importing or the distribution of syrup or bottled soft drinks within this Commonwealth unless a syrup or bottled soft drink permit shall have been issued to him as hereinafter prescribed

(b) Every person desiring to continue to engage in or hereafter to begin to engage in the manufacture bottling importing or the distribution of syrup or bottled soft drinks within this Commonwealth shall file an application for a syrup or bottled soft drink permit or permit with the department Every application for syrup or bottled soft drink permit shall be made upon a form prescribed by the department and shall set forth the name under which the applicant transacts or intends to transact business and the location of his place of business within this Commonwealth If the applicant has or intends to have more than one place of business within the Commonwealth the application shall state the location of each place of business If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by

department for purposes of identification. The application shall be filed by the owner if a natural person and in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to file the application to which shall be attached the written evidence of his authority. At the time of making such application the applicant shall pay to the department a permit fee of one dollar (\$1.00) for each permit.

Upon the approval of the application and the payment of the permit fee or fees herein required the department shall grant and issue to each applicant a syrup or bottled soft drink permit for each place of business within this Commonwealth set forth in his application. Such permit permits shall not be assignable and shall be valid only for the person or persons in whose name or names issued for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the places for which issued.

All permits shall expire on the thirty-first day of December next succeeding the date upon which they are issued unless sooner suspended, surrendered or revoked for cause by the department.

(c) Permits issued under the provisions of this act may be renewed annually before the first day of January upon application made to the department and the payment of a renewal fee of one dollar (\$1.00).

Wherever any permit issued under the provisions of this act is defaced, destroyed or lost the department may issue a duplicate permit to the holder of the defaced, destroyed or lost permit upon the payment of a fee of fifty cents (\$0.50).

(d) The department may suspend or after a hearing revoke a syrup or bottled soft drink permit whenever it is provided that the holder thereof has failed to comply with any of the provisions of this act or any rules or regulations of the department prescribed, adopted and promulgated under this act. Upon suspending or revoking any permit the department shall request the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him and a holder shall surrender promptly all such permits to the department as requested. Whenever the department suspends a permit it shall notify the holder immediately and afford him a hearing if desired and if a hearing has not already been afforded. After such hearing the department shall either rescind its order of suspension or good cause appearing therefor shall continue the suspension or revoke the permit.

**Section 4 Imposition and Rate of Tax for Syrup and Bottled Soft Drinks.** (a) Each manufacturer and bottler shall be subject to pay to the Commonwealth the excise taxes imposed by this section upon the producing, preparing, manufacturing or segregating in this Commonwealth all syrups and all bottled soft drinks and every person who imports syrups or bottled soft drinks into this Commonwealth for use, sale, delivery, storage or consumption. This Commonwealth shall pay to the Commonwealth the taxes imposed in this section before such products are transported within this Commonwealth. Such excise taxes shall be measured at the rate of one-half cent ( $\frac{1}{2}\text{c}$ ) per fluid ounce or fraction thereof for syrups and one cent (1c) per twelve (12) fluid ounces or fraction thereof for bottled soft drinks.

(d) Manufacturers, bottlers and all persons who import syrups or bottled soft drinks into the Commonwealth shall be liable to the Commonwealth as taxpayers for the payment of the taxes imposed by this act.

**Section 5 Payment of Tax by Affixing Stamps.** Other evidence of payment penalties. (a) The payment of the taxes herein provided shall be evidence by the affixing of syrup or bottled soft drink tax stamps or crowns to the original containers or bottles in which all syrups or bottled soft drinks are placed, received, stored, shipped or sold. Such stamps or crowns shall be affixed to each individual container or bottle of syrup or bottled soft drink by the manufacturers or bottlers of this Commonwealth within twenty-four (24) hours after such syrups

or bottled soft drinks are placed therein and by manufacturers, bottlers and other persons who import any syrup or bottled soft drinks into this Commonwealth before the same are transported within this Commonwealth for use, sale, delivery, storage or consumption therein. Nothing herein contained shall require stamps or crowns to be attached to containers or bottles of syrup or bottled soft drinks which are transported through this Commonwealth and which are not sold, delivered or stored therein if transported in accordance with such rules and regulations as may be adopted by the department.

The provisions of this section with reference to the stamping or crowning of syrup shall not apply (1) to syrup to be used by bottlers in the manufacture of bottled soft drinks or (2) to syrup in original containers to which stamps or crowns have been once affixed as required herein regardless of how often the syrup in such original containers may be sold or resold within this Commonwealth.

The provisions of this section with reference to the stamping or crowning of bottled soft drinks shall not apply to bottled soft drinks to which stamps or crowns have been once affixed as required herein regardless of how often the soft drinks in their original containers or bottles may be sold or resold within the Commonwealth.

The provisions of this section with reference to the stamping or crowning of bottled soft drinks shall not apply to bottled soft drinks to which stamps or crowns have been once affixed as required herein regardless of how often the soft drinks in their original containers or bottles may be sold or resold within the Commonwealth.

(b) It is the intent and purpose of this section to require all manufacturers, bottlers and other persons except as provided in clause (a) to affix the stamps or crowns provided for in this act to all original containers or bottles in which syrups or soft drinks are normally placed prepared for market, received, sold or handled before such products are transported within the Commonwealth.

(c) If it is established to the satisfaction of the department that due to economic conditions or due to existing stocks of unstamped crowns in the possession of manufacturers or bottlers on the effective date of this act or due to unavailability of material it is impractical to use syrup or soft drink tax stamps or crowns the department is hereby authorized and required to provide by regulation some other means of evidence of payment of the tax imposed or assessed by this act.

(d) Except as provided in clause (c) any manufacturer, bottler or person who shall prepare, manufacture or use syrups or bottled soft drinks or shall sell syrups or bottled soft drinks to bottlers, distributors, dealers or consumers without affixing to the original containers or bottles the stamps or crowns required by this act and any person who shall purchase, receive, transport, store or sell any syrup or bottled soft drinks to which the stamps or crowns required by this act are not affixed shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00) or to suffer imprisonment for a term not exceeding six (6) months or both in the discretion of the court and in the case of a conviction of a second or subsequent offense hereunder shall be sentenced to pay a fine of not less than two hundred dollars (\$200.00) or more than one thousand dollars (\$1000.00) and to suffer imprisonment for a term of not less than six (6) months or more than three (3) years.

**Section 6 Assessments on Failure to Pay Tax Procedure for Assessment Review.** (a) If any person shall fail to pay any tax imposed by this act for which he is liable the department is hereby authorized and empowered to make an assessment of additional tax due by such person based upon any information within its possession or that shall come into its possession.

(b) Promptly after the date of such assessment the department shall send by registered mail a copy thereof to the person against whom it was made. Within ninety (90) days after the date upon which the copy of any such assessment was mailed such person may file with

the department a petition for reassessment of such taxes. Every petition for reassessment shall state specifically the reasons which the petitioner believes entitle him to such reassessment and it shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true. It shall be the duty of the department within six (6) months after the date of any assessment to dispose of any petition for reassessment. Notice of the action taken upon any petition for reassessment shall be given to the petitioner promptly after the date of reassessment by the department.

(c) Within sixty (60) days after the date of mailing of notice by the department of the action taken on any petition for reassessment filed with it the person against whom such assessment was made may by petition request the Board of Finance and Revenue to review such action. Every petition for review filed hereunder shall state specifically the reason upon which the petitioner relies or shall incorporate by reference the petition for reassessment in which such reasons shall have been stated. The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true. If the petitioner be a corporation, joint-stock association or limited partnership the affidavit must be made by one of the principal officers thereof. A petition for review may be amended by the petitioner at any time prior to hearing thereon as hereinafter provided. The Board of Finance and Revenue shall act finally in disposition of such petitions filed with it within six (6) months after they have been received and in the event of the failure of said board to dispose of any such petition within six (6) months the action taken by the department upon the petition for reassessment shall be deemed sustained. The Board of Finance and Revenue may sustain the action taken on the petition for reassessment or it may reassess the tax due upon such basis as it shall deem according to law and equity. Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner.

(d) Any person or the Commonwealth of Pennsylvania aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within six (6) months may within sixty (60) days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement.

(e) In all cases of petitions for reassessment review or appeal the burden of proof shall be upon the petitioner or appellant as the case may be.

(f) Whenever any assessment of additional tax is not paid within ninety (90) days after the date thereof if no petition for reassessment has been filed or within sixty (60) days from the date of reassessment if no petition for review has been filed or within sixty (60) days from the date of the decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales, receiverships, assignments or bankruptcies the department may call upon the Department of Justice to collect such assessment. In such event in a proceeding for the collection of such taxes the person against whom they were assessed shall not be permitted to set up any ground of defense that might have been determined by the department, the Board of Finance and Revenue or the courts as aforesaid. The department may also provide adopt promulgate and enforce such rules and regulations as may be appropriate to prevent further shipment or transportation of syrup or bottled soft drinks into this Commonwealth by any person against whom such unpaid assessment shall have been made.

#### Section 7 Sale of Stamps or Crowns Agents' Commissions Discounts Advances

The department shall prescribe prepare and furnish stamps or crowns of such denominations and quantities

as may be necessary for the payment of the tax imposed and assessed by this act. The department shall make provision for the sale of such stamps or crowns in such places and at such times as it may deem necessary.

The department may appoint persons within or without the Commonwealth as agents for the sale of stamps or crowns to be used in paying the tax herein imposed upon syrup or bottled soft drinks and whenever the department shall sell consign or deliver to any such agent any such stamps or crowns for sale or use such agent shall be entitled to receive as compensation for his services and expenses as such agent and to retain out of the money to be paid by him for such stamps a commission of one-half of one percentum on the face value thereof. The department is hereby authorized and required to allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps or crowns.

The department is hereby authorized and required to allow to each purchaser of tax stamps or tax crowns a discount of eight (8) percentum of the purchase price of the tax value of stamps or crowns purchased upon the payment by him into the State Treasury through the department of any moneys due to the Commonwealth by reason of the sale delivery or consignment to such purchaser of such stamps or crowns.

The said discount shall be allowed by the department in lieu of any claim for refund by reason of (1) the breakage or destruction of containers stamped or crowned as provided in this act in possession of the purchase or (2) the loss or destruction of tax stamps or tax crowns.

The department is hereby authorized and required in proper cases and upon application to advance to manufacturers and bottlers of syrup or bottled soft drink tax crowns or tax stamps for a period not exceeding [sixty (60)] seventy-five (75) days in such amount of such tax value as shall be determined by the department upon consideration and determination of the following: (1) the applicant's satisfactory credit rating; (2) the applicant's average monthly rate of use of stamps or crowns; and (3) the applicant's average monthly credit extension on accounts receivable for syrups or bottled soft drinks sold. The department shall further require the applicant to file a bond in the form prescribed by the department in twice the amount of the tax value of the stamps or crowns to be advanced.

#### Section 8 Manner of Affixing Stamps

Stamps shall be affixed in such manner as shall be prescribed by regulations adopted and promulgated by the department.

#### Section 9 Reports to Department of Revenue by Manufacturers Bottlers Etc Records

For the purpose of verifying the stamp or crown requirements it shall be the duty of every manufacturer, bottler, distributor and importer on or before the tenth (10th) day of the succeeding month to transmit to the department a report under oath or affirmation of syrup or bottled soft drinks prepared for market or which were imported and came to rest or storage at his place of business in this Commonwealth during the preceding month or which were transported from a point outside the Commonwealth to a point within the Commonwealth. Such report shall show the number of ounces of syrup and the number of bottled soft drinks together with the number of fluid ounces contained therein prepared for market imported transported or stored during the period for which it is made and such further information as the department shall prescribe. Each manufacturer, bottler, distributor and importer shall maintain and keep for a period of two years such record or records of syrup or soft drinks prepared, manufactured, bottled or transported from a point outside the Commonwealth to a point within the Commonwealth or imported together with invoices, bills of lading and other pertinent papers as may be required by the department.

### Section 10 Examination of Records and Stock

The department or any agent appointed in writing by it is hereby authorized to examine the books papers invoices and other records and the stock of syrup or bottled soft drinks in and upon any premises where the same are placed stored or sold and in or on any car vessel truck vehicle or other means of transportation to verify the payment of or liability for the tax imposed by this act. Any person in possession of such syrup or bottled soft drinks is hereby directed and required to give to the Secretary of Revenue or his duly authorized representative the means facilities and opportunities for such examination. The department or any of its duly authorized agents is hereby authorized to confiscate any syrups or bottled soft drinks stored sold or transported in violation of the provisions hereof.

### Section 11 Purchase and Use of Stamps or Crowns by Foreign Producers Manufacturers Bottlers Etc

Producers manufacturers bottlers or other vendors of syrup or bottled soft drinks from without this Commonwealth shall purchase stamps or crowns from the department and affix them in the manner prescribed by the department to original containers or bottles of syrups or bottled soft drinks to be sold delivered or transported for delivery in this Commonwealth.

### Section 12 Refund on Shipment to Other States on Sales to Organizations of Military Forces Personnel and Veterans' Administration Hospitals on Products Destroyed by Fire Flood or Disaster

(a) In case any syrup or bottled soft drinks upon which stamps or crowns have been placed by a manufacturer or bottler have been sold or shipped by him to a licensed or regular dealer in such syrups or bottled soft drinks in another state such manufacturer or bottler in this Commonwealth shall be entitled to a refund of the actual amount of tax paid by him upon condition that the seller in this Commonwealth shall make affidavit that the syrups or bottled soft drinks were so sold and shipped and that he shall furnish from the purchaser if a distributor an affidavit or in cases where the total purchase price is five dollars (\$5.00) or less or where the purchaser is a retailer a written certificate in lieu of an affidavit or upon satisfactory proof that such affidavit or certificate cannot be obtained other evidence satisfactory to the department that he has received such syrups or bottled soft drinks for sale or consumption outside the Commonwealth and the amount of stamps or crowns thereon together with the name and address of the purchaser.

(b) In case any syrups or bottled soft drinks upon which stamps or crowns have been placed by the manufacturer or bottler have been sold to commissaries ships' stores voluntary unincorporated organizations of military forces personnel operating under regulations promulgated by the Secretary of Defense or retail establishments located in or at or conducted by Veterans' Administration Hospitals such manufacturer or bottler shall be entitled to a refund of the actual amount of the tax paid by him upon condition that he shall make affidavit and furnish proof that the syrup or bottled soft drinks were so sold.

(c) In case any syrups or bottled soft drinks upon which stamps or crowns have been placed by an out-of-state manufacturer or bottler and subsequently sold by an importing distributor to commissaries ships' stores voluntary unincorporated organizations of military forces personnel operating under regulations promulgated by the Secretary of Defense or retail establishments located in or at or conducted by Veterans' Administration Hospitals such manufacturer or bottler shall be entitled to a refund of the actual amount of tax paid by him upon condition that he shall make affidavit and furnish proof that the syrup or bottled soft drinks were so sold.

(d) In case any syrups or bottled soft drinks upon which stamps or crowns have been placed by a manufacturer or bottler have been destroyed by fire flood or disaster he shall be entitled to a refund of the actual amount of tax paid by him upon condition that he shall

make affidavit that such syrup or bottled soft drinks were so destroyed and shall also furnish the department with such other proof as the department shall require. In each of the above cases the department shall with the approval of the Board of Finance and Revenue issue to the manufacturer or bottler stamps or crowns of sufficient value to cover the refund. The procedure for refund in any case shall be completed by the Department of Revenue and the Board of Finance and Revenue within ninety (90) days after the proper affidavits have been filed with the department.

(e) The provisions contained in this section shall constitute the exclusive grounds for refund of taxes actually paid by the taxpayer under the provisions of this act.

### Section 13 Regulations for Shipments Out of State

The department may promulgate rules and regulations to relieve manufacturers or bottlers from affixing the stamps or crowns on such goods as are sold and shipped to points outside this Commonwealth.

### Section 14 Penalty for Acceptance Without Stamps or Crowns Prima Facie Evidence Penalty for Failure to Obtain Permit Penalty for Violations Counterfeiting or Wrongful Use of Stamps

(a) Except as otherwise provided in this act it shall be unlawful for any person to accept delivery of syrups or bottled soft drinks as defined in this act in containers or bottles upon which stamps or crowns are not affixed and perforated or cancelled in the manner prescribed by the regulations of the department. Such acceptance shall be a misdemeanor and upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace such persons shall be fined ten dollars (\$10.00) for each container or bottle so accepted and in default of payment thereof shall undergo imprisonment for not more than five (5) days for each container or bottle so accepted. Possession of syrups or bottled soft drinks in containers or bottles upon which stamps or crowns are not affixed and perforated or cancelled in the manner prescribed by the regulations of the department shall be prima facie evidence of violation of this section.

(b) Any manufacturer bottler distributor or other person who or which is not a holder of a permit or permits as required by this act and who or which engages in the preparation manufacture bottling sale distribution or transportation of syrup or bottled soft drinks shall upon conviction in a summary proceeding be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution and in default of payment thereof to undergo imprisonment for not more than ten (10) days.

(c) Any person who shall fail neglect or refuse to comply with or shall violate any provisions of this act for which violation no specific penalty is provided or any of the rules and regulations prescribed adopted and promulgated by the department under the provisions of this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books papers invoices and other records his stock of syrups or bottled soft drinks in and upon any premises where the same are prepared manufactured bottled stored and sold in or on any car vessel truck vehicle or other means of transportation and his equipment pertaining to the manufacture transportation storage or sale of syrups or bottled soft drinks as defined in this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00) or to suffer imprisonment of not more than six (6) months or both in the discretion of the court.

(d) Any person who falsely or fraudulently makes forges alters or counterfeits any stamp or crown prescribed by the department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or crown or who knowingly and wilfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamp or crown with intent to utter publish pass or tender such stamp or crown as true or who uses more than

once any stamp or crown provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a felony and upon conviction thereof shall be sentenced to suffer imprisonment for a term not exceeding ten (10) years or to pay a fine not exceeding five thousand dollars (\$5000.00) or both

#### Section 15 Enforcement of Act Rules and Regulations

The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

The department is hereby authorized and directed to prescribe adopt promulgate and enforce rules and regulations relating to the transportation of syrups or bottled soft drinks through the Commonwealth and from points outside of the Commonwealth to points within the Commonwealth and to prescribe adopt promulgate and enforce rules and regulations reciprocal to those of or laws of any other state or territory affecting the transportation of syrups or bottled soft drinks manufactured in this Commonwealth

#### Section 16 Disposition of Taxes and Fines

All taxes fines penalties and interest received collected or accruing under the provisions of this act shall be paid into the general fund of the State Treasury by and through the department

#### Section 17 Constitutionality

The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not effect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

#### Section 18 Effective Date

This act shall become effective on the first day of June one thousand nine hundred forty-seven and shall continue in effect until and including the thirty-first day of May one thousand nine hundred fifty-one

Section 2 This amending act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Barr,	Haluska,	Meade,	Tarr,
Barrett,	Hare,	Neff,	Taylor,
Berger,	Holland,	Pechan,	Toole,
Blass,	Homsher,	Peelor,	Wade,
Chapman,	Kephart,	Robinson,	Wagner,
Crowe,	Lane,	Rosenfeld,	Walker,
Diehm,	Leader,	Ruth,	Watkins,
DiSilvestro,	Letzler,	Scarlett,	Watson,
Doehla,	Lord,	Snowden,	Wolfe,
Donlan,	Mahany,	Stevenson,	Wood, L. H.,
Farrell,	Mailery,	Stiefel,	Wood, T. N.,
Frazier,	McPherson, Jr.,	Tallman,	Yosko,
Geltz,			

#### NAYS—1

Dent,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL DROPPED FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I move that House Bill No. 430, on second reading, postponed, entitled:

An Act to amend the title and sections two and four of the act approved the third day of June one thousand nine hundred forty-three (P. L. 847) entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council providing for the repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and making an appropriation" authorizing the State Council to purchase own install maintain and lease equipment and accessories for other suitable business enterprises for the blind and making an additional appropriation

be dropped from the Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

#### HOUSE BILL No. 394 CALLED UP

Mr. WALKER. Mr. President, I call up from page 5 of the Calendar House Bill No. 394, on final passage, for consideration at this time.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 394, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" changing the compensation of supervisors and auditors increasing compensation for attending conventions of county associations changing permissible payments to secretaries of county associations and payments of dues by townships to state associations and the expense allowance of delegates providing for appointment of policemen authorizing police pension annuities to widen deepen and embank water-courses to employ township managers and certified public accountants to regulate the election of supervisors in certain cases providing for the levy of taxes for fire protection services changing the definition of volunteer firemen for workmen's compensation insurance purposes the method of advertising for bids the limitation on taxes for fire hydrant purposes the requirements for street and road improvements and the vote of supervisors required for zoning changes and clarifying and revising certain provisions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 303 420 and 511 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby further amended to reads as follows

Section 303 Petition to Court Commissioners Report Upon application by petition the court shall appoint three impartial citizens as commissioners one of whom shall be a registered surveyor or engineer to inquire into the prayer of the petition After having given notice to parties interested as directed by the court the commissioners shall hold a hearing and view the lines or boundaries and they or any two of them shall make a plot or draft of the

lines and boundaries proposed to be altered or ascertained and established if the same cannot be fully designated by natural lines or boundaries. The commissioners or any two of them shall make report to the court together with their opinion of the same. Upon the filing of any such report the same shall be confirmed nisi and the court may by its order require such notice to be given by the petitioners to the parties interest as it deems proper.

**Section 420 Supervisors** If the electors of any township shall fail to choose a supervisor or if any person elected to such office shall neglect or refuse to serve thereon or if a vacancy shall occur in the office by death resignation removal from the township or otherwise the two remaining supervisors may appoint a successor to hold the office until the first Monday of January succeeding the first municipal election occurring at least sixty days after the office became vacant at which election a supervisor shall be elected for the unexpired term when a vacancy is so filled the supervisors shall within fifteen days thereafter certify such appointment to the clerk of the court of quarter sessions.

If the two remaining supervisors in the event of a vacancy as aforesaid shall be unable to agree on such appointment for a period of thirty days after such vacancy occurs the court of quarter sessions shall upon the presentation of a petition signed by a supervisor and by not less than five registered electors appoint a person to hold such office for the unexpired term.

**Section 511 Organization Meeting Appointment of Secretary and Treasurer** The supervisors of each township shall meet at a convenient time and place on the first Monday in January of each year [The] At such times the township supervisors shall organize as a board by electing one of their number as chairman. The board shall appoint a treasurer and a secretary who shall be the same person and who may or may not be a member of the board except where the board selects a trust company or a banking institution to act as treasurer in which case it shall elect an individual as secretary.

**Section 2** Section 515 of said act as so reenacted and amended and as amended by the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 75) is hereby further amended to read as follows:

**Section 515 Compensation of Supervisors** Supervisors shall receive from the general township fund as compensation not less than four dollars [(\$4)] nor more than six dollars [(\$6)] for each meeting which they attend. The amount of the compensation for attending meetings shall also allow to the supervisors reasonable compensation for making a semi-annual inspection of the roads and bridges. The compensation of supervisors when acting as superintendents roadmasters or laborers shall be fixed by the township auditors either per hour per day per week semi-monthly or monthly which compensation shall not exceed compensation paid in the locality for similar services and such other reasonable compensation for the use of vehicular equipment when required and actually used as the auditors shall determine and approve but no supervisor shall receive compensation as a superintendent or roadmaster for any day he receives compensation for attending a meeting of supervisors unless such meeting is held during the nighttime.

**Section 3** Section 520 and 532 of said act as so reenacted and amended are hereby further amended to read as follows:

**Section 520 Interest in Contracts and Purchases Penalty** [Any] Except as otherwise provided in section 802 of this act any township supervisor superintendent or roadmaster who is knowingly interested directly or indirectly in any purchase made or contract relating to roads and bridges [except as provided for in this act] or for a compensation furnishes any materials therefor is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or undergo imprisonment not exceeding six months or both and shall forfeit his office.

**Section 532 Duties** The township treasurer shall re-

ceive all moneys due the township and deposit the same promptly upon receipt thereof in a bank institution or trust company in the name of the township he shall keep distinct and accurate accounts of all sums received from taxes and other sources which account shall be open to the inspection of the supervisors and taxpayers of the township he shall pay out all moneys received by him only on orders drawn by the supervisors of the township [all orders shall be on blanks prepared and furnished by the Department of Highways] he shall annually state his accounts and lay the same together with the vouchers before the township auditors for settlement.

**Section 4** Subsection subsection A of section 590 and section 595 of said act as so re-enacted and amended are hereby further amended to read as follows:

**Section 590 Petition for Appointment of Police Contracts for Police Services A** Upon the petition of not less than twenty-five registered electors or taxpayers of any township or of two or more adjacent townships representing that the safety of the citizens and the security of property [makes] make it necessary for the appointment of one or more policemen the supervisors of such township or townships shall consider said petition and if satisfied of the reasonableness and propriety of said application shall appoint one or more registered electors who shall be residents of the Commonwealth [of which the said township or townships are a part] to act as policemen and to serve at the will of said supervisors.

The supervisors of such township or townships shall fix the number of policemen the compensation of such policemen and shall limit the term of service of said policemen as it may deem proper. Where such policemen are appointed for two or more townships the supervisors of such townships shall fix the amount of compensation which shall be paid by each of such townships. Such compensation shall be paid from the general township fund.

**Section 595 Police Pension Fund** Where a police force is being maintained the township shall by ordinance establish a police pension fund or pension annuity into which each member of the police force shall pay an equal and proportionate monthly charge not exceeding annually three per centum of the pay of such member. The fund shall be under the direction of the supervisors or such committee as they may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service. Any allowances made to those who are retired by reason of disability or age shall be in conformity with a uniform scale.

**Section 5** Article V of said act as so reenacted and amended is hereby amended by adding at the end thereof a new subdivision and section to read as follows:

#### (k) Township Manager

**Section 599.1 Appointment Removal Powers and Duties Compensation Bond** The supervisors may by ordinance at any time create the office of township manager and may in like manner abolish the same. While said office exists the supervisors shall from time to time and whenever there is a vacancy by majority vote elect one person to fill said office who shall serve until his successor is elected and qualified. Any such township manager shall be subject to removal by the supervisors by majority vote.

The powers and duties and the compensation of the township manager shall be fixed by ordinance. The compensation shall be paid out of the general fund of the township. The supervisors may delegate subject to recall any of their non-legislative powers and duties to the township manager. He shall give bond to the township with sufficient surety to be approved by the supervisors in such sum as they shall by ordinance direct conditioned for the faithful performance of his duties.

The office of township manager shall not be deemed incompatible with the office of township secretary township treasurer or any other township office or employment except that of supervisor.

**Section 6** Sections 602 603 610 and 612 of said act as

so reenacted and amended are hereby further amended to read as follows

**Section 602 Who to attend Compensation and Mileage** The supervisors of townships auditors assessors tax collectors and the secretary of the board of township supervisors when not a member of the board shall attend such conventions whenever possible each township supervisor auditor assessor tax collector and secretary attending such convention shall receive a certificate signed by the presiding officer and acting secretary of the convention attesting his presence at the convention such certificate shall entitle him to collect from the township treasurer the sum of [five] six dollars per day for each day's attendance and mileage at the rate of four cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held No township supervisor auditor assessor tax collector or secretary shall be paid for more than one day's attendance in any one year

**Section 603 Officers of County Association** The officers of the association shall consist of a president two vice-presidents a secretary and a treasurer none of whom shall be interested directly or indirectly in the promotion or sale of road material and equipment and all of whom except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen if desirable the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding [fifteen] twenty-five dollars per annum as the other officers may determine every township supervisor assessor tax collector and auditor attending such convention may vote in the election of officers

**Section 610 State Association Authorized** The formation of a State association of township supervisors is hereby authorized the association shall hold annual meetings at such time and place within the Commonwealth as it may designate for the purpose of discussing various questions and subjects pertaining to the duties of township supervisors and for the purpose of devising uniform economical and efficient methods of administering the affairs of townships all dues assessed by the association which shall not exceed fifteen dollars per year per township [shall] may be paid by the member townships from their general township funds

**Section 612 Expenses and Mileage** The expenses of the delegates attending the annual meeting shall not exceed [six] ten dollars per day for each delegate for not more than three days together with the actual mileage at the prevailing rate of railroad fare and shall be paid by the respective county associations

**Section 7 Clause III of section 702 of said act as so reenacted and amended and as amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 858) is hereby further amended to read as follows**

**Section 702 Supervisors to Exercise Powers** The corporate powers of townships of the second class shall be exercised by the township supervisors In addition to the duties imposed upon them by section 516 hereof they shall have power

\* \* \* \* \*

**III Contracts and Tax Levy For Fire Purposes** On the petition of the surface property owners of a majority of the lineal feet frontage along any highways streets roads and alleys or portion thereof in any village within the township to enter into contract with water companies for the placing of fire hydrants to water mains maintaining pressures approved by the fire insurance underwriters along said highways streets roads and alleys or to provide for or acquire a water supply system equipped to supply sufficient water for the protection of property from fire

The moneys necessary for acquiring any such water system may be obtained by proceeding in accordance with either of the methods set forth in paragraphs A and B as follows

**A** The supervisors shall levy for the acquisition of a water system for the maintenance of such fire hydrants

and for the purchase of hose et cetera an annual tax upon the property abutting upon said highways streets roads and alleys and upon property within [five] six hundred feet of any fire hydrant in the district benefited thereby based upon the assessment for county purposes no such tax shall be levied against any farm land or land used as an aviation field or against other property in the district not benefited thereby such tax shall be collected in the same manner as other taxes the collector shall receive the same commission as on the township tax the township treasurer shall receive all such taxes collected for fire protection and keep the same in a separate account and pay the same out only upon orders signed by the chairman of the board of supervisors attested by the secretary the treasurer shall make a report to the auditors of the township annually

**B** The township supervisors shall annually assess or cause to be assessed the cost and expense for the acquisition of a water system for the maintenance of such fire hydrants and for the purchases of hose et cetera by an equal assessment on all property abutting upon said highways streets roads and alleys within [five] six hundred [(500)] feet of any fire hydrant in the district benefited thereby in proportion to the number of feet the said property fronts on any street highway road or alley upon which a water main is laid or within [five] six hundred [(500)] feet of any fire hydrant on such street highway road or alley the supervisors may provide for an equitable reduction from the frontage of lots it intersects or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable no such assessment shall be made against any farm land but vacant lots between built-up sections either tilled or untilled shall not be deemed to be farm lands all such assessments for fire protection shall be filed with the township tax collector who shall give thirty (30) days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address the tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax if the assessments or any of them remain unpaid at the expiration of not exceeding ninety (90) days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection the solicitor shall collect the same together with five percent as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected where an owner has two or more lots against which there is an assessment for the same year all such lots may be embraced in one claim all assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay the same only upon orders signed by the chairman of the township supervisors attested by the secretary the tax collector and the treasurer shall make a report to the auditors of the township annually

**Section 8 Clause XIII of said section 702 as so reenacted and amended is hereby further amended to read as follows**

\* \* \* \* \*

**XIII Insurance** To expend out of the general township fund such amount as may be necessary to secure workmen's compensation insurance for its employees including volunteer firemen of companies duly recognized by the township by motion or resolution killed or injured while going to returning from or attending fires in said township or territory adjacent thereto or while performing any other duties authorized by the township to make contracts of insurance with any fire insurance company duly authorized by law to transact business in the Commonwealth of Pennsylvania on any building or property owned by such township to make contracts with any insurance company so authorized insuring any public liability of the township and to make contracts of insurance with any

insurance company or nonprofit hospitalization corporation or nonprofit medical service corporation authorized to transact business within the Commonwealth insuring its employes or any class or classes thereof under a policy or policies of group insurance covering life health hospitalization medical service or accident insurance and may contract with any such company granting annuities or pensions for the pensioning of such employes and for such purposes may agree to pay part or all of the premiums or charges for carrying such contracts and may appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof The supervisors are hereby authorized enabled and permitted to deduct from the employee's pay salary or compensation such part of the premium or charge as is payable by the employee and as may be so authorized by the employee in writing

Section 9 Clause XXVI of said section 702 as added thereto by the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 118) and clause XXVI of said section as added thereto by the act approved the second day of June one thousand nine hundred forty-seven (P. L. 391) are hereby renumbered to read as follows

[XXVI] XLII Airports To acquire by lease or purchase or by exercising the power of eminent domain in the manner provided in article ten of this act any land lying either within or without the limits of the township which in the judgment of the corporate authorities thereof may be necessary and desirable for the purpose of establishing and maintaining municipal airdromes aviation landing fields and airports facilities The title acquired by the township exercising the power of condemnation shall be a title in fee simple Any township having acquired land for such purposes may establish equip condition operate and maintain the same as a municipal airport airdrome landing field or intermediate landing field and may lease the same or any part thereof to any individual or corporation desiring to use the same for aviation purposes and may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United State for the use by said Government of said land for aviation purposes upon nominal rental or without consideration

Any township may acquire by lease or purchase land for aviation purposes as hereinbefore provided jointly with any county city borough township or political subdivision or municipality authority of this Commonwealth and is hereby authorized and empowered to operate and maintain said airport airdrome landing field or intermediate landing field jointly with any county city borough township or other political subdivision or municipality authority of this Commonwealth upon such terms and conditions as may be agreed upon between the proper authorities of the county city borough township or other political subdivision of this Commonwealth

[XXVII] XLIII Police Protection Districts Assessments To provide police protection and promote the public safety health convenience and welfare of its citizens the board of township supervisors is hereby empowered with the approval of the township auditors on petition of a majority of the property owners of any territory within the township to designate definitely define set apart and limit any part of such territory as a district for the purpose of providing such districts adequate police protection Such police protection may be furnished jointly with one or more other townships or boroughs under an agreement with such townships and boroughs The township supervisors shall annually assess or cause to be assessed the cost and expense of the maintenance of said police protection by an equal assessment on all property benefited by such protection in proportion to the number of feet the same fronts on the street or highway or portion thereof to be protected The supervisors may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No

such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five per centum (25%) of the assessment per foot front against property with improvements thereon All such assessments for police protection shall be filed with the township tax collector who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum (5%) as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The tax collector and the treasurer shall make a report to the auditors of the township annually

Section 10 Said section 702 as so reenacted and amended is hereby amended by adding at the end thereof two new clauses to read as follows

XLIV Widening and Deepening Water-Courses After a permit has been secured from the Water and Power Resources Board to widen and deepen water-courses running through the township and to erect such dikes retaining walls and embankments along the same as shall be necessary to prevent water from overflowing the banks thereof For such purposes townships may enter upon and condemn such property as may be necessary Townships may enter upon land lying near such water-courses and secure such material as may be necessary in connection with such work Damages for property taken injured or destroyed as the result of such work shall be fixed and determined in the manner provided in article ten of this act Townships may appropriate moneys from the general fund for the purpose of carrying into effect the provisions of this clause

XLV Appointment of Certified Public Accountants To employ a certified public accountant to audit the accounts of the township and the township officers if a petition has been presented to the supervisors by at least twenty-five taxpayers of the township asking for such appointment The amount paid to the certified public accountant in any year shall not exceed the maximum allowed by law to be paid to the township auditors in such year

Section 802 Clauses (4) and (5) of section 905 and sections 1135 and 2005 of said act as so reenacted and amended are hereby further amended to read as follows

Section 802 Letting Contracts Each township shall have the power to make to authorize and to ratify expenditures for lawful purposes from funds available therefor by borrowing within legal limitations Provided That all contracts or purchases in excess of five hundred dollars (\$500) except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the township is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are [available] employed for such publication [and] or in [the] case [of] weekly newspapers are em-

ployed then the notice shall be published once a week for two successive weeks. The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids.

The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received. If for any reason one or both of the above meetings shall not be held the same business may be transacted at subsequent meetings. Provided That at least five days' notice thereof shall be published in the newspaper aforesaid.

The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing [the work to be done] performance of the contract with sufficient surety in the amount of fifty per centum (50%) of the amount of the contract within twenty days after the contract has been awarded unless the supervisors shall prescribe a shorter period not less than ten days and upon failure to furnish such bond within such time the previous award shall be void. Delivery accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein.

The contracts or purchases made by any supervisors involving an expenditure of over five hundred dollars (\$500) which shall not require advertising or bidding as hereinbefore provided are as follows:

(a) Those made for maintenance repairs or replacements for water electric light and other public works of the township provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the supervisors as in other cases of work done.

(b) Those made for improvements repairs or maintenance of any kind made or provided by any township through its own employees. Provided however That this shall not apply to construction materials used in a road improvement.

(c) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by the supervisors which are patented and manufactured products.

(d) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision county the Commonwealth of Pennsylvania or the Federal Government or any agency of the Commonwealth or Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies but the price thereof or the expenditure therefor shall not be in excess of those fixed by the Commonwealth the Federal Government or their agencies.

(e) Those involving personal or professional services. Except as herein provided no township official either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the township or for any work to be done for such township involving the expenditure by the township of more than three hundred dollars (\$300) in any year but this limitation shall not apply to cases where such officer or appointee of the township is an employee of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise. Provided however That in the case of a supervisor if he knows that he is within the exception just mentioned he shall so inform the supervisors and shall refrain from voting on the expenditures or any ordinance relating thereto and shall in no manner participate therein. Provided further That any such official or appointee who shall knowingly violate this provision shall be subject to surcharge to the extent of the damage shown to be

thereby sustained by the township ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500). Provided That in the case the purchase of material [equipment and machinery] for the construction reconstruction maintenance and improvement of roads and bridges the contract which shall be in writing and shall be let only on standard specifications of the Department of Highways [or approved by said department] and materials so purchased shall only be used in accordance with specifications of [or approval of] said department.

Section 905 Township and Special Tax Levies A. The board of township supervisors may by resolution levy taxes upon all real property and upon all occupations or upon real property alone within the township made taxable for township purposes as ascertained by the last adjusted valuation for county purposes for the purposes and at the rates hereinafter specified. All taxes shall be collected in cash.

\* \* \* \* \*

4 A tax not exceeding two mills and not exceeding the amounts hereinafter limited for the purpose of purchasing and maintaining fire apparatus and to provide with the assent of the electors of the township as hereinafter provided a suitable place for the housing of the same and to make appropriations to fire companies for the purchase and maintenance of fire apparatus but the total expenditure for the purchase of fire apparatus by the township together with the amount of appropriation to one or more fire companies from such taxes shall not for the first fiscal year exceed in all the sum of seven thousand five hundred dollars nor shall any new fire apparatus be thereafter purchased by the township or by any fire company from appropriations made by the township without the consent of the electors as hereinafter provided [nor shall the total expenditure by the township in any fiscal year for the purpose of maintenance and operation together with the appropriations to any one or more fire companies exceed forty-five hundred dollars].

5 A tax not exceeding two mills for the purpose of establishing and maintaining fire hydrants and fire hydrant water service after obtaining the assent of two-thirds of the electors of the township voting thereon in the manner provided in this act.

Section 1135 Petition of Property Owners. Any township may grade curb gutter pave or otherwise improve with brick stone or any suitable materials any public street or road or part thereof [(not less than one thousand feet)] laid out and opened in the township. No street or road or any part thereof shall be improved under the provisions of this section except upon the petitions of owners of property representing a majority in number of feet front of the properties abutting on the street or road or part thereof proposed to be improved [nor unless there shall be at least ten separate improved dwellings or places of business in each one thousand feet of road to be so improved].

Section 2005 Changes. Such regulations restrictions and boundaries may from time to time be amended supplemented changed modified or repealed. In case however of a protest against such change signed by the owners of twenty percent or more either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending one hundred feet from the street frontage of such opposite lots such amendment shall not become effective except by the favorable vote of [all] a majority of the supervisors.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

## HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RECALLING  
FROM THE GOVERNOR SENATE BILL No. 391

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 27, 1949.

Resolved (If the House of Representatives concur) That Senate Bill No. 391, entitled:

An Act reappointing the unexpended balance appropriated by section two of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 953), entitled "An act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 635), entitled 'An act creating a commission to study the methods of maintaining and supporting public schools and the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient public school system, prescribing its powers and duties, and making an appropriation,' continuing such commission, changing its purpose, and making an appropriation."

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 178

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 178, entitled:

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasury of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 234

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 234, entitled:

An Act to add a new section to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code" by prohibiting the use of the highways to vehicles in which television sets are installed within the view of the operator.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 517

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 517, entitled:

An Act to further amend clause (3) of section thirteen of an act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "Policemen's Relief and Pension Fund Law," by cancelling age requirement and changing length of service necessary to receive a pension.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 549

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 549, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State Highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 550

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 550, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "Borough Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 551

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 551, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 552

He also presented communication from the House of

Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 552, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "City State Highway Law," by changing or deleting certain routes and adding certain new routes.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 557

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 557, entitled:

An Act providing for the compensation of the mayor, council and appointed officers in cities of the second class A.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 656

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 656, entitled:

An Act to further amend subsection (b) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," as amended, by changing the total maximum height of vehicles and loads.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 657

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 657, entitled:

An Act to further amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred ninety-five (P. L. 408), entitled, as amended "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities, towns, townships and boroughs, within this Commonwealth," by providing for the payment by the State Treasurer of one-half of the tax on premiums paid by domestic fire insurance companies to the treasurers of the several cities, towns, townships, and boroughs within this Commonwealth.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1031

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1031, entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and possessing with intent to sell, of adulterated or deleterious ice cream, french ice cream, french custard, frozen custard, frozen ice confections frozen sherbet confections, sherbet, ice, and

fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, including sherbet, frozen ice confections, frozen sherbet confections, frozen dairy confections, ice, and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream; providing for licensing, conferring powers and imposing duties upon the Department of Agriculture, prescribing penalties; and providing for the enforcement thereof.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1232

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1232, entitled:

An Act to further amend section six hundred ten of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by further providing for the issuance of certain permits for excessive size and weight.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1325

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1325, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-nine, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-nine.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 178, entitled:

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and or Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund or certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems

House Bill No. 234, entitled:

An Act to add a new section to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code" by prohibiting the use of the highways to vehicles in which television sets are installed within the view of the operator.

House Bill No. 238, entitled:

An Act to further amend section one of the act, ap-

proved the third day of May, one thousand nine hundred twenty-three (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution" by including Catholic War Veterans Inc., among the veterans' organization entitled to the printing of convention reports.

House Bill No. 239, entitled:

An Act to further amend section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by including Catholic War Veterans, Inc., among the organizations exempt from payment of registration fees of vehicles used by such organization.

House Bill No. 517, entitled:

An Act to further amend clause (3) of section thirteen of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "Policemen's Relief and Pension Fund Law," by cancelling age requirement and changing length of service necessary to receive a pension.

House Bill No. 549, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State Highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

House Bill No. 550, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "Borough Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

House Bill No. 551, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

House Bill No. 552, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "City State Highway Law," by changing or dealing certain routes and adding certain new routes.

House Bill No. 557, entitled:

An Act providing for the compensation of the mayor, council and appointed officers in cities of the second class A.

House Bill No. 656, entitled:

An Act to further amend subsection (b) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," as amended, by changing the total maximum height of vehicles and loads.

House Bill No. 657, entitled:

An Act to further amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred ninety-five (P. L. 408), entitled, as amended "A supplement to the twenty-fourth section of

an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities, towns, townships and boroughs, within this Commonwealth," by providing for the payment by the State Treasurer of one-half of the tax on premiums paid by domestic fire insurance companies to the treasurers of the several cities, towns, townships, and boroughs within this Commonwealth.

House Bill No. 869, entitled:

An Act to further amend section three hundred twenty-five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "General County Law," by permitting certain county employes of county correctional institutions to be credited for previous service.

House Bill No. 1031, entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and possessing with intent to sell, of adulterated or deleterious ice cream, french ice cream, french custard, frozen custard, frozen ice confections, frozen sherbet confections, sherbet, ice, and fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, including sherbet, frozen ice confections, frozen sherbet confections, frozen dairy confections, ice, and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream; providing for licensing, conferring powers and imposing duties upon the Department of Agriculture, prescribing penalties; and providing for the enforcement thereof.

House Bill No. 1166, entitled:

An Act establishing a Pennsylvania Fish Wardens' Retirement System; providing for payments, upon retirement, death disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund under the Administration of the State Employees' Retirement Board; providing for contributions by Fish Wardens employed by the Board of Fish Commissioners and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits and rights from taxation and judicial processes; and providing penalties.

House Bill No. 1232, entitled:

An Act to further amend section six hundred ten of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by further providing for the issuance of certain permits for excessive size and weight.

House Bill No. 1325, entitled:

An Act to amend rules fifty-five and fifty-six of section three of article eleven of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "Bituminous Coal Mining Law," by further prescribing requirements and examinations of trailing cables for portable machines.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

## HOUSE BILL NO. 312 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 312 for consideration at this time.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 312, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating the State Board of Chiropractic Examiners and defining its powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Public Instruction of section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the eighth day of May one thousand nine hundred forty-seven (P. L. 158) the ninth day of May one thousand nine hundred forty-seven (P. L. 187) and the thirteenth day of May one thousand nine hundred forty-seven (P. L. 211) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

State Real Estate Commission  
 Pennsylvania State Board of Censors  
 Public School Employes' Retirement Board  
 Board of Trustees of Thaddeus Stevens Trade School  
 Board of Trustees of Pennsylvania State Oral School for the Deaf  
 Board of Trustees of Pennsylvania Soldiers' Orphan School  
 Board of Trustees of West Chester State Teachers College  
 Board of Trustees of Millersville State Teachers College  
 Board of Trustees of Kutztown State Teachers' College  
 Board of Trustees of East Stroudsburg State Teachers' College  
 Board of Trustees of Mansfield State Teachers' College  
 Board of Trustees of Bloomsburg State Teachers' College  
 Board of Trustees of Shippensburg State Teachers' College  
 Board of Trustees of Lock Haven State Teachers' College  
 Board of Trustees of Indiana State Teachers' College  
 Board of Trustees of California State Teachers' College  
 Board of Trustees of Slippery Rock State Teachers' College  
 Board of Trustees of Edinboro State Teachers' College  
 Board of Trustees of Clarion State Teachers' College  
 Board of Trustees of Cheyney Training School for Teachers  
 State Board of Medical Education and Licensure  
 State Board of Pharmacy  
 State Dental Council and Examining Board  
 State Board of Optometrical Examiners  
 State Board of Osteopathic Examiners  
 Osteopathic Surgeons' Examining Board  
 State Board of Examiners for the Registration of Nurses  
 State Board of Veterinary Medical Examiners  
 State Board of Chiropractic Examiners  
 State Board for the Examination of Public Accountants  
 State Board of Examiners of Architects  
 State Registration Board for Professional Engineers  
 [State Civil Service Commission]  
 Public Service Institute Board

\* \* \* \* \*

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Article four of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 455 State Board of Chiropractic Examiners The State Board of Chiropractic Examiners is hereby created and shall consist of the Superintendent of Public Instruction ex officio and five (5) members to be appointed by the Governor within sixty (60) days after the effective date of this act The term of office of each member so appointed except as herein otherwise provided shall be four (4) years until his successor be appointed and qualified

Each member of the board shall be a graduate of a legally incorporated and reputable school or college of chiropractic and shall have been engaged in the full-time practice of chiropractic in this State for at least five (5) years immediately preceding the effective date of this act and shall not be in any manner financially interested in or connected with the faculty or management of any chiropractic school or college Not more than two (2) members of the board shall be graduates of any one school or college of chiropractic

Any vacancy occurring in the board shall be filled by the Governor for the unexpired term only In the original appointment of the members of the board one (1) member for the term of three (3) years and two (2) members (1) member for the term of two (2) years one (1) member for the term of three (3) years and two (2) members

In the Department of Public Instruction  
 State Council of Education

for the term of four (4) years Three (3) members of the board shall constitute a quorum and the board shall annually select from among its members a chairman and shall elect a secretary who need not be a member of the board

The members of the board other than the Superintendent of Public Instruction shall receive actual traveling expenses and fifteen dollars (\$15) per diem when actually engaged in the performance of the official duties and the secretary shall receive such compensation as the board shall determine with the approval of the Superintendent of Public Instruction

Section 3 Section one thousand three hundred ten of said act as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) and partly repealed by the act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 158) is hereby further amended to read as follows

Section 1310 Professional Examining Boards The professional examining boards within the Department of Public Instruction shall respectively exercise the rights and powers and perform the duties by law vested in and imposed upon them Provided however That all certificates and official documents of such examining boards shall be issued by the Department of Public Instruction but may be signed by the members of the appropriate board or any of them as determined by such board

Subject to the preceding provisions of this section and to any other inconsistent provisions in this act contained

The State Board of Medical Examination and Licensure shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Bureau of Medical Examination and Licensure in the Department of Public Instruction

The State Board of Pharmacy shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Dental Council and Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board the State Dental Council and the Board of Dental Examiners for the Commonwealth of Pennsylvania

The State Board of Optometrical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Board of Optometrical Education Examination and Licensure

The State Board of Osteopathic Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the State Board of Osteopathic Examiners of Pennsylvania

The Osteopathic Surgeons' Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examiners for Registration of Nurses shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Veterinary Medical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examination of Public Accountants shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examiners of Architects shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Registration Board for Professional Engineers shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Chiropractic Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. LANE. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Barr,	Geltz,	Letzler,	Toole,
Barrett,	Haluska,	Mahany,	Wagner,
Blass,	Holland,	Neff,	Walker,
Dent,	Homsher,	Snowden,	Watkins,
Diehm,	Lane,	Tallman,	Wood, L. H.,
Farrell,	Leader,	Tarr,	Wood, T. N.,
			Yosko,

The PRESIDENT. Are there any corrections?

Mr. DiSILVESTRO. Mr. President, having voted under a misapprehension, I desire to be recorded as having voted "aye".

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

Are there any further corrections? The roll stands as corrected.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger,	Hare,	Pechan,	Stevenson,
Chapman,	Kephart,	Peelor,	Stiefel,
Crowe,	Lord,	Robinson,	Taylor,
Doehla,	Mallery,	Rosenfeld,	Wade,
Donlan,	McPherson, Jr.,	Ruth,	Watson,
Frazier,	Meade,	Scarlett,	Wolfe,

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the final passage of the bill: Ayes 26, Nays 24.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—26

Barr,	Geltz,	Letzler,	Toole,
Barrett,	Haluska,	Mahany,	Wagner,
Blass,	Holland,	Neff,	Walker,
Dent,	Homsher,	Snowden,	Watkins,
Diehm,	Lane,	Tallman,	Wood, L. H.,
DiSilvestro,	Leader,	Tarr,	Wood, T. N.,
Farrell,			Yosko,

#### NAYS—24

Berger,	Hare,	Pechan,	Stevenson,
Chapman,	Kephart,	Peelor,	Stiefel,
Crowe,	Lord,	Robinson,	Taylor,
Doehla,	Mallery,	Rosenfeld,	Wade,
Donlan,	McPherson, Jr.,	Ruth,	Watson,
Frazier,	Meade,	Scarlett,	Wolfe,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

## HOUSE BILL NO. 313 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 313 for consideration at this time.

## BILL ON THIRD READING DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 313, as follows:

An Act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners providing for the granting suspension and revocation of licenses issued by the board conferring jurisdiction upon the court of common pleas of Dauphin county and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Short Title This act shall be known and may be cited as the "Chiropractic Registration Act of 1949"

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

(a) "Chiropractor" shall mean a practitioner of Chiropractic

(b) "Chiropractic" shall mean a philosophy science and art of things natural with the human body a system of locating misaligned or displaced vertebrae of the human spine the procedure preparatory to and the adjustment by hand of such misaligned or displaced vertebrae and other articulations and tissues of the human body together with the use of scientific instruments of analysis

(c) "Board" shall mean the State Board of Chiropractic Examiners

(d) "Department" shall mean the Department of Public Instruction

Section 3 General Supervision of Chiropractic Schools It shall be the duty of the board to approve and disapprove Chiropractic schools and colleges constantly to ascertain the facilities qualifications of instructors and character of the instruction of each of the various legally incorporated and reputable chiropractic schools and colleges operating under the laws of this Commonwealth for the teaching of chiropractic to establish standards in conformity with this act for such school and colleges and by inspection or otherwise to ascertain the facilities qualifications and character of such schools and colleges outside this Commonwealth Failure to conform to the standards required by the board after notification shall render the graduates of any such school ineligible for licensure within this Commonwealth

Section 4 Curriculum An Approved school or college of chiropractic within the provisions of this act shall teach a standard course of not less than three thousand five hundred (3500) hours of fifty minutes each of classroom and laboratory work composed of the following named subjects hygiene sanitation anatomy physiology physiological chemistry bacteriology pathology histology symptomatology diagnosis chiropractic analysis and X-ray philosophy principles and technique of chiropractic

Section 5 Licensing Present Practitioners Any person of good character who has been engaged in the full-time practice of chiropractic for twenty (20) years or more the last five of which have been in this state prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent and in excess of eighteen hundred (1800) hours of classroom instruction in a legally incorporated and reputable school or college of chiropractic and has been graduated therefrom shall be entitled to take a limited examination for licensure Any person who has been engaged in the full-time practice of chiropractic for less than twenty (20) years but more than

ten (10) years the last five of which have been in this state prior to the effective date of this act and possessing a general education of not less than a standard four year High school course or its equivalent and not less than two thousand one hundred and fifty (2150) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom shall be entitled to take a limited examination for licensure Any person of good character who has engaged in the full-time practice of chiropractic in this state for less than ten (10) years prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent and not less than two thousand five hundred and fifty (2550) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom shall be entitled to take a limited examination for licensure Provided however That application to take any limited examination under the provisions of this act for licensure must be made by the applicant within six months of the effective date of this act

Section 6 Limited Examination A limited examination for the purpose of this act is defined herewith as an examination comprising the following subjects only (1) Philosophy of chiropractic (2) Principle and technique of chiropractic anatomy physiology and hygiene (3) quarantine and sanitary laws of the Commonwealth of Pennsylvania

Section 7 Preliminary Educational Qualifications No person matriculating in the study of chiropractic after the effective date of this act shall be licensed to practice chiropractic unless he or she produces proof to the board before taking his or her examination of having had a general education of not less than a standard four year high school course or its equivalent and not less than one year of college credits in physics chemistry and biology

Section 8 Professional Education Qualifications Except as hereinbefore provided for present practitioners no person shall hereafter be licensed to practice chiropractic in this Commonwealth unless he or she shall deliver to the secretary of the board a written application together with satisfactory proof that the applicant is more than twenty-one (21) years of age is of good moral character has obtained the preliminary education as required by section seven of this act and has graduated from an approved legally incorporated and reputable school or college of chiropractic as defined in section four of this act a course of chiropractic instruction of not less than four graded courses of not less than thirty-five hundred (3500) hours of fifty (50) minutes each of classroom and laboratory instruction in the subject as set forth in section four and shall pass a final examination before the board as provided in this act Provided That students now in attendance in a legally incorporated and reputable chiropractic school or college shall be eligible to take the standard examination provided in section ten of this act if such students can fulfill the preliminary educational requirements set forth in section seven of this act and have completed not less than three thousand three hundred and sixty (3360) hours of classroom instruction of not less than fifty (50) minutes each in the basic studies for the practice of chiropractic in an approved legally incorporated and reputable school or college of chiropractic as hereinbefore provided and shall pass a final standard examination before the board as provided in this act

Section 9 Fees The board shall charge the following fees for examination registration and renewal of certificates the sum of twenty-five dollars (\$25.00) for a standard examination and ten dollars (\$10.00) for a limited examination It shall be the duty of all persons licensed under the provisions of this act by the board to register annually with the board and pay for each such annual registration such fee as may be fixed by the department All fees paid to the board shall be paid to the General Fund of the State Treasury

## Section 10 Examinations

(a) The board shall admit to a standard examination

any applicant who has complied with the qualifications provided herein. The examination shall be demonstrative oral and written upon the principles and technique of chiropractic as herein defined and shall include the following subjects: Anatomy, physiology, histology, chemistry, pathology, bacteriology, diagnosis, hygiene and sanitation, symptomatology, chiropractic analysis, X-ray, chiropractic principles and a practical demonstration of chiropractic technique.

(b) For the purpose of examining applicants for licensure the board shall hold at least two (2) stated meetings each year due notice of which shall be made public. The examinations to be held at such time and places as the board may determine. At such meetings examinations may be conducted by a committee of two (2) or more members of the board authorized by the board. Examinations shall be conducted in accordance with the rules and regulations prescribed by the board. No license shall be granted to any applicant unless he or she has obtained a general average of not less than seventy-five percentum (75%).

**Section 11 Failure in Examination.** Any applicant for licensure who shall fail in the examination authorized by this act shall have the privilege of a second examination without the payment of an additional fee. In the case of failure at any standard examination the applicant after the expiration of six (6) months and within two (2) years shall have the privilege of taking a second examination. In the case of failure of a limited examination as provided for in sections five (5) and six (6) of this act the applicant shall have the privilege of taking a second examination at such time as the board may determine. In the event of his failure to pass the second examination he shall thereafter cease to practice chiropractic in this Commonwealth. The board may in its discretion permit an applicant to take more than two examinations but the applicant shall be required to pay the same fee as is required for the original examination.

**Section 12 Unlawful to Practice Unless Licensed and Registered.** It shall be unlawful for any person after July first one thousand nine hundred fifty to operate or practice as a chiropractor unless he or she shall hold a license as provided by this act and unless such person is registered for the then current license year after year in which he is first licensed.

**Section 13 Term of License and Registration.** All licenses and all registrations granted under this act shall expire on the first day of September following their issuance. It shall be the duty of the board on or before the first day of June of each year to mail to every person licensed under this act a blank application form for registration. Registration may be effected at any time during the month of August following by the filing of such application with the board together with such registration fee as may be fixed by the department provided that the board may at its discretion register any licensee who has failed to make application for registration before September first.

**Section 14 Refusal to Grant Revocation Etc.** The board by a majority vote thereof may refuse to grant and may suspend or revoke a license or a registration to any applicant for the following reasons:

(1) The practice of any fraud or deceit in obtaining or attempting to obtain a license.

(2) Violation of the health laws of this Commonwealth.

(3) The pleading guilty nolo contendere or being found guilty by a court of competent jurisdiction of a crime involving moral turpitude.

(4) Gross incompetency, negligence or misconduct in carrying on of such profession.

(5) Violation of this act or the non-compliance with its provisions or the rules and regulations of the board.

(6) Lending, borrowing or using the license of another or knowingly aiding or abetting in any way the granting of an improper license.

**Section 15 Hearing Appeals.** The board may refuse to issue, suspend, revoke or restore any certificate of registration for sufficient cause in accordance with the rules

and regulations of the board but any suspension or revocation shall be by unanimous vote of the members of the board after a full and fair hearing held as provided by the administrative agency law (Act of June fourth one thousand nine hundred forty-five (P. L. 1388 as amended)).

**Section 16 Rules and Regulations.** The board may make such reasonable rules and regulations for the regulation of the practice of chiropractic as it deems necessary and proper.

**Section 17 Scope and Limitations of the Practice of Chiropractic.** The license provided for in this act shall entitle the holder thereof to practice chiropractic as defined in this act.

**Section 18 Display of Certificate.** Every holder of a certificate granted by the board under the provisions of this act shall display the same in a conspicuous place in his or her office wherein such person shall practice chiropractic.

**Section 19 Doctor of Chiropractic and Abbreviation.** Any person who has a valid certificate of registration as a chiropractor and who has complied with the annual registration provided by section nine (9) of this act may practice chiropractic as defined herein and use the title "Doctor of Chiropractic" and the abbreviation "DC".

**Section 20 Penalties.** Any person who shall practice or attempt to practice chiropractic as defined in this act or shall use the term chiropractor under such circumstances as to induce the belief that the person who uses such terms is engaged in the practice of chiropractic without first having obtained a license as herein provided for or contrary to the provisions of this act or who shall under any other terms or name practice chiropractic or who for the purpose of obtaining such license shall falsely represent himself or herself to be the owner of a diploma from a reputable school shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars (\$500) or suffer imprisonment for not more than six months for each offense or both at the discretion of the court.

**Section 21.** This act shall not apply either directly or indirectly by intent or purpose to affect the practice of any other branch of the healing art by any person duly licensed by the department of public instruction to engage in such practice.

**Section 22 Repeal.** All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

**Section 23 Effective Date.** The provisions of this act shall become effective January first one thousand nine hundred fifty.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. LANE. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Barr,	Farrell,	Leader,	Tarr,
Barrett,	Geltz,	Letzler,	Toole,
Blass,	Haluska,	Mahany,	Wagner,
Dent,	Holland,	Neff,	Watkins,
Diehm,	Homsher,	Snowden,	Wood, L. H.,
DiSilvestro,	Lane,	Tallman,	Wood, T. N.,
			Yosko,

The PRESIDENT. Are there any corrections? The

Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger,	Hare,	Pechan,	Stevenson,
Chapman,	Kephart,	Peelor,	Stiefel,
Crowe,	Lord,	Robinson,	Taylor,
Doehla,	Mallery,	Rosenfeld,	Wade,
Donlan,	McPherson, Jr.,	Ruth,	Walker,
Frazier,	Meade,	Scarlett,	Watson,
			Wolfe,

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the final passage of the bill: Ayes 25, Nays 25.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—25

Barr,	Geltz,	Letzler,	Toole,
Barrett,	Haluska,	Mahany,	Wagner,
Blass,	Holland,	Neff,	Watkins,
Dent,	Homsher,	Snowden,	Wood, L. H.,
Diehm,	Lane,	Tallman,	Wood, T. N.,
DiSilvestro,	Leader,	Tarr,	Yosko,
Farrell,			

#### NAYS—25

Berger,	Kephart,	Peelor,	Stiefel,
Chapman,	Lord,	Robinson,	Taylor,
Crowe,	Mallery,	Rosenfeld,	Wade,
Doehla,	McPherson, Jr.,	Ruth,	Walker,
Donlan,	Meade,	Scarlett,	Watson,
Frazier,	Pechan,	Stevenson,	Wolfe,
Hare,			

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

#### RULING BY CHAIR ON VOTE ON HOUSE BILL No. 313

The PRESIDENT. The Chair announces in connection with House Bill No. 313, that notwithstanding any feeling the Chair may have in this matter, the Chair is not entitled to cast a deciding vote in case of a tie, where it means the passage of a bill finally, because it requires a majority vote of the members elected to the Senate, it requires 26 votes of the Senators.

The Constitution does provide in Article IV, Section 4, that the Lieutenant-Governor can cast a deciding vote when the Senate is divided on matters generally. There is also a provision that in order for a bill to pass, it must be passed by a majority vote of the Senators elected, and, therefore, I cannot vote on this bill, and the bill fails.

The bill will be returned to the House of Representatives with the information that the bill has been defeated.

#### POINT OF ORDER

Mr. HALUSKA. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Cambria, Mr. Haluska, will state his point of order.

Mr. HALUSKA. Mr. President, I voted in the affirmative on House Bill No. 313. Am I in a position now to change my vote? I mean, am I in a position to move for the reconsideration of that vote finally?

The PRESIDENT. Yes, you are in a position to move

to reconsider the vote by which House Bill No. 313 failed to pass the Senate.

Mr. HALUSKA. Mr. President, I now move that the vote by which House Bill No. 313 passed finally be reconsidered.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

#### POINT OF ORDER

Mr. WALKER. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, my point of order is that the gentleman from Cambria, Senator Haluska, is seeking to reconsider the vote. Mr. President, he did not vote with the majority, and therefore, he is not entitled to make the motion.

Mr. HALUSKA. Mr. President, the record shows I did not vote with the minority.

Mr. WALKER. Mr. President, may I suggest to the gentleman from Cambria that occasionally in court when the witness identifies a defendant as the fellow who robbed the bank, the fact that the defendant might bring in twenty people to swear he did not rob the bank is no defense.

The PRESIDENT. The Chair rules on the point of order that the Member must be one who voted with the prevailing side. The prevailing side in this particular case is the side that defeated the bill.

Therefore, it would require two Senators who voted in the negative in this case to have the vote reconsidered. The motion must be made by those who voted, no, because they are the prevailing side.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. LORD, JR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LORD, JR., from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

#### MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of East Stroudsburg State Teachers' College:

Randall J. Marsh, 715 Scott Street, Stroudsburg, Monroe County, to serve until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified. (Reappointment)

Dr. A. J. Harlacher, East Stroudsburg, Monroe County, to serve until the third Tuesday of January, 1953, and until his successor shall have been appointed and qualified, vice John I. Blair, Stroudsburg, deceased.

JAMES H. DUFF.

MEMBERS OF THE CLEARFIELD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Clearfield County Board of Assistance:

Isaac B. Whitaker (Republican), Curwensville, Clearfield County, to serve until December 31, 1950, and until his successor is duly appointed and qualified, vice S. T. McClure, Clearfield, deceased.

Mrs. Lillian Ashcroft (Democrat), Morrisdale, Clearfield County, to serve until December 31, 1951, and until her successor is duly appointed and qualified, vice T. R. McCracken, Mahaffey, whose term expired.

Raymond J. Swallow (Republican), Day Apartments, South Brady Street, DuBois, Clearfield County, to serve until December 31, 1951, and until his successor is duly appointed and qualified. (Reappointment)

JAMES H. DUFF.

ALDERMAN, SECOND WARD, CITY OF CONNELLSVILLE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Andrew J. Rottler, 232 North Pittsburgh Street, Connellsville, Fayette County, for appointment as Alderman in and for the Second Ward of the City of Connellsville, Fayette County, until the first Monday of January, 1950, vice Richard M. Williams, resigned.

JAMES H. DUFF.

JUDGE OF THE ORPHANS' COURT OF THE FIRST JUDICIAL DISTRICT

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John P. Boland, 408 Sixty-six Avenue, Philadelphia, Philadelphia County, for appointment as Judge of the Orphans' Court of the First Judicial District, composed of the City and County of Philadelphia, until the first Monday of January, 1950, vice Lewis H. Van Dusen, deceased.

JAMES H. DUFF.

JUDGE OF THE MUNICIPAL COURT OF PHILADELPHIA

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Emanuel W. Beloff, 2330 South 8th Street, Philadelphia, Philadelphia County, for appointment as Judge of the Municipal Court of Philadelphia, until the first Monday of January, 1950, vice Edward Shmidheiser, deceased.

JAMES H. DUFF.

REGISTRATION COMMISSION IN AND FOR THE CITY OF SCRANTON

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Registration Commission in and for the City of Scranton, to serve until January 3, 1950, and until their successors are qualified:

David Thomas (Republican), 333 North Sumner Avenue, Scranton, Lackawanna County, vice George William Morgan (Republican), Scranton, whose term expired.

Mrs. Annie P. Manly (Republican), 421 North Webster Avenue, Scranton, Lackawanna County, vice Mrs. Edith M. Reynolds (Republican), Scranton, whose term expired.

Dominick Manzo (Democrat), 301 North Chestnut Avenue, Scranton, Lackawanna County, vice J. Gerald Collins (Democrat), Scranton, whose term expired.

Dr. T. G. Killeen (Democrat), 701 Jefferson Avenue, Scranton, Lackawanna County, vice James J. Dempsey, Jr. (Democrat), Scranton, whose term expired.

JAMES H. DUFF.

CONSIDERATION OF EXECUTIVE NOMINATIONS  
RULE 38 SUSPENDED

By unanimous consent,  
A motion was made by Mr. LORD, JR. and Mr. HARE, To grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported.

Which was agreed to.  
Whereupon,  
A motion was made by Mr. LORD, JR. and Mr. HARE, That the Senate do advise and consent to the nominations reported.

On the question,  
Will the Senate agree to the motion?  
Mr. LORD, JR. Mr. President, may I say that among the nominations that have been just read to the Senate, two of my distinguished brothers of the Bar of Philadelphia have been honored by His Excellency The Governor, and I merely want to say that I know John P. Boland and Emanuel W. Beloff personally and I am sure that they will serve with distinction and honor as Members of the Judiciary of our County.

And the question recurring,  
Will the Senate agree to the motion?

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.  
Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. LORD, JR. Mr. President, I move that the Executive Session do now rise.

Mr. HARE. Mr. President, I second the motion. The motion was agreed to.

### SENATE RESOLUTION

#### PETITIONING THE PUBLIC UTILITY COMMISSION TO MAKE A COMPLETE INVESTIGATION OF THE PURCHASE OF WATER COMPANIES AND OTHER SELF LIQUIDATING UTILITIES BY MUNICIPAL AUTHORITIES

Mr. DENT. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT, offered the following resolution which was twice read, considered and agreed to.

In the Senate, April 28, 1949.

Whereas, The General Assembly has enacted legislation which enables local governments to create an agency through which the said municipalities can purchase self-liquidating existing utilities; and

Whereas, The agency commonly known as a local authority is empowered by law to enter into agreement for the purchase and operation of utilities for the common good of the citizens of the communities served by these various utilities; and

Whereas, The contracts for the purchase of Water Companies by local authorities have the following objectional features: (1) The issuance of general securities as additional payment for the property in an amount equal to about 50% of the senior securities. These junior securities bear a rate of interest and are tax exempt, however, the said junior securities represent nothing in the way of value. (2) The vendor obtains for himself or his designee a managerial contract to operate the water works for the authority at a large sum of money per year and this contract of employment runs for the life of the bonds, usually forty years. (3) The vendor is still not satisfied. He then proceeded by contract to limit the profit in any given year of the authority to 10% and takes the last 10% for himself; and

Whereas, The inclusion of these provisions in the purchase contract entered into by the authority is a deliberate and fraudulent plan by which the rate payers are forced to pay millions of dollars over and above the real value of the purchase property; and

Whereas, The rate payers of Pennsylvania have only one agency of government to which they can look for protection, namely, The Public Utility Commission; and

Whereas, The General Assembly of Pennsylvania has given the Public Utility Commission certain duties and powers; Therefore, be it

Resolved, That the Senate do hereby petition the Public Utility Commission to make a complete investigation of all such purchase proposals and if such proposals are not for the public benefit to refuse to allow the consummation of such purchase proposal.

### POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Cambria, Mr. Haluska, will state his point of information.

Mr. HALUSKA. Mr. President, I find on Page 36 of the Pennsylvania Manual wherein it states that the majority of those elected to either House must vote in favor of a bill. Then I find on Page 38 of the Manual, Section IV of the Constitution, wherein it states that the Lieutenant-Governor shall have no vote only in case it be equally divided.

Now, by his rights, Mr. President—

### POINT OF ORDER

Mr. WALKER. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, if the gentleman from Cambria is challenging the decision of the Chair on a previous motion, his method is not covered in the Rules.

Mr. HALUSKA. Mr. President, I have issued no challenge. I stated very specifically that I rose on a point of information, and that is no challenge.

The PRESIDENT. The gentleman from Cambria, Mr. Haluska, raises a point of information. I think the question has been answered by the ruling of the Chair, and there is no further explanation to be given.

Mr. HALUSKA. Then, Mr. President, we can't pay much attention to what we have in the Constitution.

The PRESIDENT. I think we can.

Mr. WALKER. Mr. President, if I recall correctly, the Chair interpreted that phase of the Constitution in his ruling, and that was accepted by the Senate.

Mr. HALUSKA. Thank you.

### HOUSE MESSAGES

#### AMENDMENTS TO HOUSE BILL NO. 897 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence House Bill No. 897, recalled from the Governor, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the World War II Veterans' Compensation Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer and the Board of Finance and Revenue, in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 170 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 170, entitled:

An Act to amend section ninety-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by removing the limitation on the amount which may be spent for hotel and traveling expenses, increasing the number of days of the annual meeting and the allowable expenses for holding the same.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 193 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 193, entitled:

An Act concerning Notaries Public and amending, revising, consolidating and changing the law relating thereto.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 243 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 243, entitled:

An Act to consolidate amend and revise the penal laws of the Commonwealth.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 367 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 367, entitled:

An Act to further amend sections four three hundred one and five hundred one of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2896) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for modification of the manner in which employer contribution rates are determined

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 376 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 376, entitled:

An Act to further amend sections one thousand two hundred fourteen and one thousand two hundred fifteen

of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the employment of a supervising principal, granting certain powers, and defining his duties.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 488 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 488, entitled:

An Act to further amend sections fifteen and twenty-one of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by clarifying certain provisions eliminating provisions for signatures of county controllers and facsimile signatures and requiring the payment to the prothonotary of additional fees under certain circumstances

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 647 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 647, entitled:

An Act relating to insurers not authorized to transact business in this State; providing for actions in this State against and for the service of process upon such insurers; prescribing how a defense may be made by such insurer; and providing for the allowance of attorneys fees in actions against such insurers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 797 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 797, entitled:

An Act to further amend section four hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing for the compensation of judges, inspectors, clerks and machine inspectors, and for mileage to persons furnishing transportation for transmitting returns and ballot boxes at primaries and elections.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 834 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 834, entitled:

An Act to reenact and amend the title and the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by including in the plan certain dental services; defining "dental services" and further defining "medical services."

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 835 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 835, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, con-

solidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by making further provisions relating to nonprofit medical service corporations, by extending the provisions of said act relating to the furnishing of medical services by nonprofit medical service corporations so as to include the furnishing of certain dental services to subscribers and their dependents, and by providing that the articles of incorporation of existing nonprofit medical service corporations are amended by the provisions of this act so as to authorize the furnishing of such dental services by doctors of dental surgery.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 853 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 853, entitled:

An Act to amend section seven hundred seventy-five of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the leasing of school property for any educational purpose approved by the Superintendent of Public Instruction or State Council of Education; and validating prior leases.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 928 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 928, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by further defining "Judgment", requiring additional information in accident reports; providing for the determina-

tion of security by the secretary; providing for proof of financial responsibility in additional cases; providing penalties for furnishing false information and changing effective date of said act.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### HOUSE CONCURS IN SENATE BILL No. 33

He also returned to the Senate, Senate Bill No. 33, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violations thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating reimbursement by the Commonwealth.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 72

He also returned to the Senate, Senate Bill No. 72, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April, one thousand nine hundred twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," increasing the maximum aggregate number of officers and men in the State Police Force.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 198

He also returned to the Senate, Senate Bill No. 198, entitled:

An Act relating to apprenticeship; creating a State apprenticeship Council to formulate an apprenticeship policy and program and defining its powers and duties; imposing duties on the Secretary of Labor and Industry; and providing for administration.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 221

He also returned to the Senate, Senate Bill No. 221, entitled:

An Act to further amend section thirty-eight of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 869), entitled "An act providing for the organization, government, discipline, maintenance, and regulation of the armed land forces of this Commonwealth," by changing certain allowances and expenses.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 242

He also returned to the Senate, Senate Bill No. 242, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College, for expenditure by the School of Mineral Industries thereof, for the purpose of studying the question of burning gob piles.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 248

He also returned to the Senate, Senate Bill No. 248, entitled:

An Act providing for the payment of the court of certain moneys involved in disputes between the Commonwealth of Pennsylvania and any county officer acting as agent of the Commonwealth.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 266

He also returned to the Senate, Senate Bill No. 266, entitled:

An Act to further amend section two of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes; and in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purpose," by further regulating the returns of taxable property and the payment of taxes by certain taxpayers under the provisions of said act.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 294

He also returned to the Senate, Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight, and of carrying out the provisions of existing laws relating thereto.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 296

He also returned to the Senate, Senate Bill No. 296, entitled:

An Act to amend section four hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 1917), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by clarifying the powers and duties of the institution districts and other public agencies furnishing assistance.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 352

He also returned to the Senate, Senate Bill No. 352, entitled:

An Act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 358

He also returned to the Senate, Senate Bill No. 358, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs and improvements to existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 410

He also returned to the Senate, Senate Bill No. 410, entitled:

An Act requiring the county commissioners to provide, at the expense of the county, telephone service, typewriters, stenographers, office space, materials and other equipment for the use of the county superintendent of schools.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 442

He also returned to the Senate, Senate Bill No. 442, entitled:

An Act to amend section eighty-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by further providing for the payment of expenses of sheriffs at meetings of their State associations, increasing the number of days for such meetings and the allowable expenses for holding the same.

with the information that the House has passed the same without amendments.

#### HOUSE BILL No. 897, RECALLED FROM THE GOVERNOR TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 897, which was recalled from the Governor and amended in the House of Representatives.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 897, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the World War II Veterans' Compensation Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer and the Board of Finance and Revenue, in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 5, by inserting after the word "aggregate" and before the word "the," the following: "at any one time" Amend Section 3, page 5, by inserting between lines 8 and 9, the following:

"Section 3.1 Refunding bonds the governor auditor general and the state treasurer are hereby authorized to provide by resolution for the issuance of refunding bonds for the purpose of refunding any bonds issued under the provisions of this act and then outstanding either by voluntary exchange with the holders of such outstanding bonds or to provide funds to redeem and retire such outstanding bonds with accrued interest and any premium payable thereon At maturity or at any call date the issuance of such refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the governor auditor general and the state treasurer in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable refunding bonds may be issued by the Governor Auditor General and the State Treasurer to refund bonds originally issued or to refund bonds previously issued for refunding purposes

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 897 RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate

do concur in the amendments made by the House to House Bill No. 897, recalled from the Governor.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 647 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 647, which was returned from the House with amendments.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 647, entitled:

An Act relating to insurers not authorized to transact business to this State; providing for actions in this State against and for the service of process upon such insurers; prescribing how a defense may be made by such insurers; and providing for the allowance of attorneys fees in actions against such insurers.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

"Amend Section 3, page 6, line 5, by striking out after the word "court" and before the word "sufficient", the following: "in an amount to be fixed by the court" and inserting in lieu thereof, the following: "said deposit or bond shall be in such amount as the court in its sole discretion after taking into account the financial condition of the unauthorized insurer and such other factors as the court considers pertinent may deem"; Amend Section 4, page 7, line 7, by inserting after the word "to" and before the word "business", the following; "do"; Amend the bill, page 7, by inserting after line 18, the following: "Section 5 The provisions of this act shall not apply to any action suit or proceedings against any unauthorized insurer arising out of a contract of

(1) Reinsurance effectuated in accordance with the laws of Pennsylvania

(2) Insurance effectuated in accordance with section six hundred twenty-four of the insurance department act of May 17 1921 P L 789

(3) Aircraft insurance

(4) Insurance on property or operations of railroads engaged in interstate commerce

(5) Insurance against legal liability arising out of the ownership operation or maintenance of any property having a permanent situs outside of this state or

(6) Insurance against loss of or damage to any property having a permanent situs outside this state where such contract contains a provision designating the insurance commissioner to be its true and lawful attorney upon whom may be served all lawful process in any action suit or proceeding instituted by or on behalf of an insured or beneficiary arising out of any such contract"

Amend Section 5, page 8, line 1, by striking out after the word "Section" and before the word "Short", the following: "5" and inserting in lieu thereof, the following: "6"; Amend Section 6, page 8, line 3, by striking out after the word "Section" and before the word "All", the following: "6" and inserting in lieu thereof, the following: "7".

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 647

Mr. WADE. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 647.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 834 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 834, which was returned from the House with amendments.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 834, entitled:

An Act to reenact and amend the title and the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical

service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of any mandatory and injunctive relief for the enforcement of the provisions of this act" by including in the plan certain dental services defining "dental services" and further defining "medical services"

which was returned from the House of Representatives with amendments.

The Clerk read the amendment as follows:

Amend Section 1, page 6, line 18, by inserting after the word "hospital", the following: "provided such services are rendered in an accredited hospital".

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO SENATE BILL No. 834

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendment made by the House to Senate Bill No. 834.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 835 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table

Senate Bill No. 835, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 835, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by making further provision relating to nonprofit medical service corporations by extending the provisions of said act relating to the furnishing of medical services by nonprofit medical service corporations so as to include the furnishing of certain dental services to subscribers and their dependents and by providing that the articles of incorporation of existing nonprofit medical service corporations are amended by the provisions of this act so as to authorize the furnishing of such dental services by doctors of dental surgery

which was returned from the House of Representatives with amendments.

The Clerk read the amendment as follows:

Amend Section 1, page 6, line 19, by inserting after the word "hospitals" the following: "provided such services are rendered in an accredited hospital".

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO SENATE BILL No. 835

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 835.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 853 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 853, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 853, entitled:

An Act to amend section seven hundred seventy-five of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the leasing of school property for any educational purpose approved by the Superintendent of Public Instruction or State Council of Education; and validating prior leases.

which was returned from the House of Representatives with amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 3, lines 6 and 7, by striking out after the word "purpose" on line 6, and before the word "Such" on line 7, the following: "approved by the Superintendent of Public Instruction or the State Council of Education".

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 853

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 853.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 928 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 928, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 928, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by further defining "Judgment," requiring additional information in accident reports; providing for the determination of security by the secretary; providing for proof of financial responsibility in additional cases; providing penalties for furnishing false information and changing effective date of said act.

which was returned from the House of Representatives with amendment.

The Clerk read the amendment as follows:

Amend the bill, page 13, by inserting after line 18, the following: "Section 5 The provisions of this amendatory act shall become effective immediately upon final enactment."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO SENATE BILL No. 928

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendment made by the House to Senate Bill No. 928.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 243 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 243, which was returned from the House with amendments.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 243, entitled:

An Act to consolidate amend and revise the penal laws of the Commonwealth.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the Table of Contents, page 5, line 15, by striking out after the word "Indecent", the following: "Liberties" and inserting in lieu thereof, the following: "assault"; Amend the Table of Contents, page 6, by striking out all of line 13; Amend the Table of Contents, page 6, line 19, by striking out after the word "Sale" and before the word "or", the following: "Loan"; Amend the Table of Contents, page 10, line 8, by striking out after the numeral "665" and before the word "Employment", the following: "Wordly" and inserting in lieu thereof, the following: "worldly"; Amend Article III, page 30, lines 8 to 10, by striking out after the word "be" at the end of line 8, the following: "imprisoned not exceeding (5) years or fine not exceeding five thousand dollars (\$5000) or both" and inserting in lieu thereof, the following: "subject to the same term of imprisonment or to the same fine or both as prescribed for the crime of which such other person is falsely charged"; Amend Article IV, page 41, line 4, by striking out after the word "exceeding", the following: "thirty" and inserting in lieu thereof, the following: "twenty"; Amend Article IV, page 41, line 5, by striking out after the word "dollars" and before the word "and", the following: "(\$30)" and inserting in lieu thereof, the following: "(\$20)"; Amend Article IV, page 41, line 6, by striking out after the word "exceeding" and before the word "days", the following: "thirty (30)" and inserting in lieu thereof, the following: "twenty (20)"; Amend Article IV, page 44, line 5, by striking out before the word "on", the following: "either"; Amend Article IV, page 44, line 5, by striking out after the word "person", the following: "or in a vehicle" Amend Article V, page 51, line 8, by striking out after the word "Indecent", the following: "Liberties" and inserting in lieu thereof, the following: "assault"; Amend Article V, page 51, line 9, by striking out after the word "Whoever" and before the word "the", the following: "takes indecent liberties with" and inserting in lieu thereof, the following: "commits an indecent assault upon"; Amend Article V, page 53, line 9, by inserting after the word "matter", the following: "knowing the matter to be of such character"; Amend Article VI, page 56, line 7, by inserting after the word "any" and before the word "device", the following: "punch board drawing card slot machine or any"; Amend Article VI, page 56, line 8, by inserting after the word "purposes", the following: "except playing cards"; Amend Article VI, page 57, line 14, by striking out after the word "exceeding" and before the word "or", the following: "two

(2) years" and inserting in lieu thereof, the following: "one (1) year"; Amend Article VI, page 57, line 15, by striking out after the part-word "ceeding" and before the word "thousand", the following: "two" and inserting in lieu thereof, the following: "one"; Amend Article VI, page 57, line 15, by striking out after the word "dollars" and before the word "or", the following: "(\$2000)" and inserting in lieu thereof, the following: "(\$1000)"; Amend Article VI, Section 608, pages 59 and 60, by striking out all of Section 608; Amend Article VI, page 78, line 11, by striking out after the word "ten" and before the word "or", the following: "(10 years)" and inserting in lieu thereof, the following: "(10) years"; Amend Article VII, page 109, line 10, by striking out before the word "rape", the following: "common-law"; Amend Article VII, page 109, line 10, by inserting after the word "rape" and before the word "robbery", the following: "sodomy"; Amend Article VII, page 115, line 13, by inserting after the word "offenses" and before the word "in", the following: "of assault and battery or aggravated assault and battery"; Amend Article VIII, page 138, line 16, by inserting after the word "depository" and before the word "knowing", the following: "and stop payment on such check draft or order or (B)"; Amend Article VIII, page 139, line 5, by inserting after the word "because" and before the word "of", the following: "payment has been stopped by the drawer or because"; Amend Article VIII, page 139, line 6, by inserting after the word "and" and before the word "of", the following: "in applicable cases"; Amend Article IX, page 162, lines 1 and 18, by striking out before the word "be" in line 18 the following: "(G) Any other property belonging to another shall where the crime involves property listed in clause (a)"; and inserting in lieu thereof, the following: "(G) Any property belonging to another not specifically listed in clause (A) (B) (C) (D) (E) or (F) shall where the crime involves property listed in clause (A)"; Amend Article IX, page 163, line 1, by striking out before the right-faced parenthesis, the following "and"; Amend Article IX, page 163, line 1, by inserting after the left-faced parenthesis and before the word "be", the following: "or (F)"; Amend Article IX, page 163, line 3, by striking out after the word "clause" and before the word "be", the following: "(f)" and inserting in lieu thereof, the following: "(G)"; Amend Article IX, page 171, line 15, by striking out after the word "sections" and before the word "inclusive", the following: "915 to 921" and inserting in lieu thereof, the following: "Nine hundred fifteen (915) to nine hundred twenty-one (921)"; Amend Article X, page 176, by inserting between line 2 and 3, the following: "Section 1011 Fraudulent Acknowledgment of Instruments Whoever fraudulently and corruptly acknowledges or procures to be acknowledged any deed or any writing authorized to be acknowledged or any recognizance or judgment in the name of any other person not privy thereto or consenting to the same shall be imprisoned not exceeding three (3) years or fine not exceeding three thousand dollars (\$3000) or both"; Amend Article XI, page 176, line 9, by striking out after the word "law" and before the word "shall", the following: "misdemeanor" and inserting in lieu thereof, the following: "offense"; Amend Article XI, page 181, line 7, by inserting after the word "sodomy" and before the word "burglary" the following: "rape"

On the question,  
Will the Senate concur in the same?

# SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 243

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 243.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr,	Geltz,	McPherson, Jr.,	Tallman,
Barrett,	Haluska,	Meade,	Tarr,
Berger,	Hare,	Neff,	Taylor,
Blass,	Holland,	Pechan,	Toole,
Chapman,	Homsher,	Peelor,	Wade,
Crowe,	Kephart,	Robinson,	Wagner,
Dent,	Lane,	Rosenfeld,	Walker,
Diehm,	Leader,	Ruth,	Watkins,
DiSilvestro,	Letzler,	Scarlett,	Watson,
Doehla,	Lord,	Snowden,	Wolfe,
Donlan,	Mahany,	Stevenson,	Wood, L. H.,
Farrell,	Mallery,	Stiefel,	Yosko,
Frazier,			

## NAYS—1

Wood, T. N.,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 530

Mr. STEVENSON. Mr. President, I submit the report of the Committee of Conference on Senate Bill No. 530, entitled:

An Act to amend section ten of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1410), entitled "An act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith," by increasing the minimum annual salaries of associate judges not learned in the law.

The PRESIDENT. The report will lie over for printing under the rules.

## HOUSE MESSAGE

### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in a Resolution from the Senate as follows:

### ADJOURNMENT SINE DIE

In the Senate, April 6, 1949.

Resolved, (if the House of Representatives concurs), that this Regular Session of the General Assembly adjourn sine die, Thursday, April 28th, 1949, at 6:00 o'clock P. M., Eastern Standard Time.

## SENATE BILL NO. 376 TAKEN FROM TABLE

Mr. WAGNER. Mr. President, I call from the table Senate Bill No. 376, which was returned from the House with amendments.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 376, entitled:

An Act to further amend sections one thousand two hundred fourteen and one thousand two hundred fifteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the employment of a supervising principal, granting certain powers, and defining his duties.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, by striking out lines 1 to 9, inclusive, of the Title; Amend the Title, page 2, line 1 of the Title, by striking out before the word "by," the following: "that are or may be inconsistent therewith" and inserting in lieu thereof, the following: To amend sections one thousand one hundred sixty-one and one thousand one hundred sixty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto'

Amend Section 1, page 2, by striking out after the numeral "1" in line 1, the remainder of said line; Amend Section 1, page 2, by striking out lines 2 to 10, inclusive; Amend Section 1, page 2, line 11, by striking out before the word "amended," the following: "hereby further" and inserting in lieu thereof, the following: "Sections one thousand one hundred sixty-one and one thousand one hundred sixty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' are hereby"

Amend Section 1, page 2, line 12, by striking out after the word "Section" and before the word "The," the following: "1214" and inserting in lieu thereof, the following: "1161 employment in districts third and fourth class"; Amend Section 1, page 2, line 13, by striking out the brackets around the word "may"; Amend Section 1, page 2, line 14, by striking out before the word "employee," the following: "and has twenty or more teachers shall"; Amend Section 1, page 2, line 15, by striking out after the word "the" and before the word "school," the following: "said"; Amend Section 1,

page 3, lines 1 and 2, by striking out after the word "of" in line 1, and before the word "Every" in line 2, the following: "Section one thousand two hundred five of this act" and inserting in lieu thereof, the following: "This article governing the employment and tenure of professional employes"; Amend Section 1, page 3, lines 5 and 6, by striking out after the word "districts" in line 5, and before the word "upon" in line 6, the following: "any one of which has fewer than twenty teachers"; Amend Section 1, page 3, lines 9 and 10, by striking out after the word "principal" in line 9, the following: "Whenever such approval is requested and granted such school districts must join in the employment of a supervising principal"; Amend Section 1, page 3, lines 12 and 13, by striking out after the word "shall" in line 12, and before the word "the," in line 13, the following: "have a seat on" and inserting in lieu thereof, the following: "sit with"; Amend Section 1, page 3, line 14, by striking out after the word "him" and before the word "the," the following: "and" and inserting in lieu thereof, the following: "except when sitting in executive session and he shall have"; Amend Section 2, page 4, by striking out lines 8 to 11, inclusive; Amend Section 2, page 4, line 12, by striking out after the word "Section" and before the word "Two," the following: "1215" and inserting in lieu thereof, the following: "1162 joint employment including supervisors or teachers of special subjects"; Amend Section 2, page 4, line 17, by placing a right-faced bracket after the word "districts" and before the word "Such"; Amend Section 2, page 4, line 17, by striking out the brackets around the words "supervising principal"; Amend Section 2, page 4, line 18, by striking out after the word "teacher" and before the word "be," the following: "to" and inserting in lieu thereof, the following: "shall"; Amend Section 2, page 4, line 19, by inserting after the word "him" and before the word "under," the following: "and may jointly prescribe his duties and fix and pay his compensation"; Amend Section 2, page 5, lines 1 and 2, by striking out after the word "of" in line 1, the following: "section one thousand two hundred five of this act" and inserting in lieu thereof, the following: "this article governing the employment and tenure of professional employes."

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 376

Mr. WAGNER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 376.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,  
Barrett,  
Berger,  
Bliss,  
Chapman,  
Crowe,  
Dent,

Geltz,  
Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,

Meade,  
Neff,  
Pechan,  
Peelor,  
Robinson,  
Rosenfeld,  
Ruth,

Tarr,  
Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,

Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 33, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating reimbursement by the Commonwealth.

Senate Bill No. 72, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the maximum aggregate number of officers and men in the State Police Force.

Senate Bill No. 198, entitled:

An Act relating to apprenticeship; creating a State Apprenticeship Council to formulate an apprenticeship policy and program and defining its powers and duties; imposing duties on the Secretary of Labor and Industry; and providing for administration.

Senate Bill No. 221, entitled:

An Act to further amend section thirty-eight of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 869), entitled "An act providing for the organization, government, discipline, maintenance, and regulation of the armed land forces of this Commonwealth," by changing certain allowances and expenses.

Senate Bill No. 242, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College, for expenditure by the School of Mineral Industries thereof, for the purpose of studying the question of burning gob piles.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

#### SENATE BILL No. 797 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 797, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 797, entitled:

An Act to further amend section four hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing for the compensation of judges, inspectors, clerks and machine inspectors, and for mileage to persons furnishing transportation for transmitting returns and ballot boxes at primaries and elections.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 6 of the title, by inserting after the word "elections," the following: "In all counties except in counties of the first and second class"; Amend Section 1, page 4, line 7, by striking out after the word "than," the following: "five dollars (\$5)" and inserting in lieu thereof, the following: "six dollars (\$6)"; Amend Section 1, page 4, line 19, by inserting after the word "boxes" and before the word "all," the following: "In counties of the third fourth fifth sixth seventh and eighth classes;" Amend Section 1, page 5, line 4, by inserting after the word "provided" and before the word "the," the following: "In counties of the third fourth fifth sixth seventh and eighth classes;" Amend Section 1, page 5, line 9, by striking out after the word "in," and before the left-faced parenthesis, the following: "clauses" and inserting in lieu thereof, the following: "subsections."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 797

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 797.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blaas,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
Dislivestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yoako,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No 170 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 170 which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 170, entitled:

An Act to amend section ninety-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto" by removing the limitation on the amount which may be spent for hotel and traveling expenses, increasing the number of days of the annual meeting and the allowable expenses for holding the same.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 2, by inserting a right-faced bracket after the word "exceed" and before the word "twenty-five"; Amend Section 1, page 3, line 2, by inserting a left-faced bracket after the word "twenty-five" and before the word "dollars"; Amend Section 1, page 3, line 2, by inserting after the word "twenty-five" and before the word "dollars", the following: "sixty".

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 170

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 170.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,  
Barrett,  
Berger,  
Blass,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Geltz,  
Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Meade,  
Neff,  
Pechan,  
Peelor,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Tarr,  
Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 367 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 367, which was returned from the House with amendments.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 367, entitled:

An Act to further amend sections four three hundred one and five hundred one of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2896) entitled "An act establishing a system of ununemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for modification of the manner in which employer contribution rates are determined.

which was returned from the House of Representatives with amendments.

The Clerk read the amendmente as follows:

Amend the title, page 1, line 1, of the title, by inserting after the word "one" and before the word "five", the following: "the first paragraph of section four hundred two"; Amend the title, page 1, line 7 of the title, by striking out after the word "Laws" and before the left-faced parenthesis, the following: "2896" and inserting in lieu thereof, the following: "2897"; Amend the title, page 2, line 12 of the title, by inserting after the word "by" and before the word "providing", the following: "changing and adding certain definitions further regulating eligibility for compensation"; Amend section 1, page 2, line 1, by striking out after the numeral "1" and before the word "of", the following: "Subsection (k)" and inserting in lieu thereof, the following: "Subsections

(K) (Y) and (Z)"; Amend Section 1, page 3, line 1, by striking out after the word "Laws" and before the left-faced parenthesis, the following: "2896" and inserting in lieu thereof, the following: "2897"; Amend Section 1, page 3, line 12, by striking out after the word "the" and before the word "approved", the following: "act" and inserting in lieu thereof, the following: "acts"; Amend Section 1, page 3, line 12, by inserting after the word "the" and before the word "tenth", the following: "twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) and the"; Amend Section 1, page 3, line 13, by striking out after the left-faced parenthesis at the end of the line, the following: "is" and inserting in lieu thereof, the following: "are"; Amend Section 1, page 3, by inserting between lines 14 and 15, the following: "Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise"; Amend Section 1, page 4, by inserting between lines 13 and 14, the following: "(y) Wages of a compensated employe" [with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means wages which were paid to the compensated employe by an employer of such employe in the base year immediately preceding the employe's benefit year and which wages shall be treated as though they had been paid in the calendar quarter in which the first compensation of the employe's benefit year was paid and with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five] means the first one thousand three hundred and sixty-six dollars (\$1366) in wages which were paid to [thel] a compensated employe by [an employer of such employe in] each of such compensated employes' employers during the base year immediately preceding the employe's benefit year and which wages shall be treated as though they had been paid in the calendar quarter in which that amount of compensation was paid which together with any amounts of compensation previously paid with respect to such benefit year equals at least three times the employe's weekly benefit rate for the purpose of charging an employer's reserve account under the provision of subsection (b) of section 302 of this act "wages of compensated employees" as used therein shall not include wages which were the basis of credit for a waiting week or for the payment of unemployment compensation or both as a result of any employee being unemployed under conditions which under subsection (d) of section four hundred two of this act as amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1186) would have made him ineligible for compensation providing any such employer within sixty days from the date of maling notice of his contrbuton rate for the year one thousand nne hundred forty-nine as computed under the provisions of section three hundred one as amended by this act files an appropriate application with the department giving sufficient information to enable the department to determine whether or not his "wages of compensated employees" should be ajusted under the provisions of this subsection if however any such employee was otherwise unemployed during a period in his benefit year for which he was otherwise eligible for credit for a waiting week and in addition thereto was paid compensation equal to at least three times his weekly benefit rate then the "wages

of a compensated employee" which were the basis thereof shall be included in the "wages of compensated employees" for the employer for the same calendar quarter to which such wages were originally allocated by the department provided that the provisions of this subsection shall not result in the removal or transfer of any "wages of a compensated employee" for any calendar quarter to which such "wages" were originally allocated by the department in determining "state experience" as defined in subsection (s) of section four of this act

(Z) "Week" means any calendar week ending at midnight Saturday or [the equivalent thereof as determined in accordance with general rules adopted by the department] any seven consecutive calendar days or each accumulation of four "effective days" which need not be consecutive;" Amend Section 2, page 4, line 15, by striking out after the left-faced parenthesis and before the right-faced parenthesis, the following: "and;" Amend Section 2, page 4, line 15, by inserting after the left-faced parenthesis and before the word "as," the following: "and (Z.6);" Amend Section 2, page 5, by inserting between lines 6 and 7 the following: "(Z.6) "Effective Day" means a full day of total unemployment provided that such day falls within a week in which an employee had four or more days of total unemployment provided further that only those days of total unemployment in excess of three days within such week shall be deemed "effective days" and employee who is employed on a shift continuing through midnight shall be deemed to have been employed only on the day beginning before midnight with respect to such shift;" Amend Section 3, page 11, line 6, by inserting after the word "balance" and before the word "in," the following: "As of July thirty-first immediately following such computation date;" Amend Section 3, page 16 line 16, by inserting after the word "his" and before the word "annual," the following: "total;" Amend Section 3, page 16, line 16, by striking out after the word "annual" and before the word "payroll," the following: "total;" Amend Section 3, page 22, line 9, by inserting a right-faced bracket after the word "any" and before the word "calendar;" Amend Section 3, page 22, line 9, by inserting brackets around the word "calendar;" Amend Section 3, page 22, line 9, by inserting after the word "calendar" and before the word "year," the following: "fiscal;" Amend Section 3, page 22, line 9, by inserting after the word "year" and before the word "any," the following: "ending on the thirtieth day of June;" Amend Section 3, page 22, line 12, by inserting brackets around the word "calendar;" Amend Section 3, page 22, line 12, by inserting after the word "calendar" and before the word "year," the following: "fiscal;" Amend Section 3, page 22, line 12, by inserting after the word "year" and before the word "in," the following: "ending on the thirtieth day of June;" Amend Section 3, page 22, line 13, by inserting brackets around the word "calendar;" Amend Section 3, page 22, line 13, by inserting after the word "calendar" and before the word "year," the following: "fiscal;" Amend Section 3, page 22, line 13, by inserting after the word "year," the following: "ending on the thirtieth day of June;" Amend Section 4, page 24, line 19, by striking out after the word "hundred" and before the word "of," the following: "forty-eight" and inserting in lieu thereof, the following: "forty-seven;" Amend Section 4, page 26, line 1, by striking out before the word "shall," the following: "forty-eight" and inserting in lieu thereof,

the following: "forty-seven;" Amend the bill, page 29, by inserting between lines 15 and 16, the following: "Section 7 The first paragraph of section four hundred two of said act as last amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1186) is hereby further amended to read as follows: Section 402 Ineligibility for compensation an employee shall be ineligible for compensation for any week or accumulation of four "effective days;" Amend Section 7, page 29, line 16, by striking out after the word "Section" and before the word "Subsection," the following: "7" and inserting in lieu thereof, the following: "8;" Amend Section 8, page 30, line 15, by striking out after the word "section" and before the word "section," the following: "8" and inserting in lieu thereof, the following: "9;" Amend Section 9, page 32, line 15, by striking out after the word "Section" and before the word "Section," the following: "9" and inserting in lieu thereof, the following: "10;" Amend Section 10, page 36, line 5, by striking out after the word "Section" and before the word "Section," the following: "10" and inserting in lieu thereof, the following: "11;" Amend Section 11, page 37, line 5, by striking out after the word "Section" and before the right-faced parenthesis, the following: "11" and inserting in lieu thereof, the following: "12;" Amend Section 12, page 39, line 8, by striking out after the word "Section" and before the right-faced parenthesis, the following: "12" and inserting in lieu thereof, the following: "13;" Amend Section 13, page 40, line 6, by striking out after the word "Section" and before the word "This," the following: "13" and inserting in lieu thereof, the following: "14."

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 367

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 367.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 399

Mr. WALKER. Mr. President, I submit the report of the Committee of Conference on Senate Bill No. 399, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," prohibiting the use of certain additional words in corporate name; authorizing the passage of by-laws superceding the charter on purely administrative matters; permitting notice of meetings to be given by advertisement; changing certain provisions relating to mergers, consolidations and foreign corporations, and repealing an act.

The PRESIDENT. The report will lie over for printing under the rules.

#### HOUSE MESSAGES

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 28 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 28, entitled:

An Act to further amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, and four thousand three hundred twenty-four of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," further regulating the retirement of firemen on pensions; and requiring certain payments to be made to the Firemen's Pension Fund by cities.

and has appointed Messrs. MILLER, BRICE and YESTER, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 200

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 200, entitled:

An Act establishing a Pennsylvania Liquor Control Board Officers' Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board; providing for contributions by officers of the Pennsylvania Liquor Control Board and the Commonwealth; provid-

ing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits and rights from taxation and judicial processes; and providing penalties.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 200

Mr. WALKER. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 200.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 394

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 394, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," as heretofore amended and reenacted, by changing the fiscal year and the dates for meetings, budgets, taxation, audits, and reports, changing the compensation of supervisors and auditors and the expense allowance of delegates, providing for appointment of non-resident persons as tax collectors and policemen, authorizing police pension annuities, empowering supervisors to acquire and operate airports, to establish police protection districts and assess the cost thereof, to widen, deepen and embank watercourses, to employ township managers and certified public accountants, changing the definition of volunteer firemen for workmen's compensation insurance purposes, the method of advertising for bids, the limitation on taxes for fire hydrant purposes, the requirements for street and road improvements, and the vote of supervisors required for zoning changes, and clarifying and revising certain provisions of said act.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 394

Mr. WALKER. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 394.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 780

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 780, entitled:

An Act to further amend sections seven and eighteen of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "Female Labor Law," by deleting the wartime provision increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provision.

SENATE INSISTS UPON ITS AMENDMENTS  
NON-CONCURRED IN BY THE HOUSE  
TO HOUSE BILL NO. 780

Mr. WALKER. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 780.

Mr. HARE. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL NO. 839

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 839, entitled:

An Act to amend section twelve of the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1265), entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the third class; and imposing certain charges on counties," by providing for the right to designate beneficiaries after the time of retirement.

SENATE INSISTS UPON ITS AMENDMENTS  
NON-CONCURRED IN BY THE HOUSE  
TO HOUSE BILL NO. 839

Mr. WALKER. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 839.

Mr. HARE. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL NO. 871

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 871, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," providing for additional examinations for school bus operators; and further regulating safety requirements for school buses and the meeting or overtaking of school buses while taking on or discharging school children.

SENATE INSISTS UPON ITS AMENDMENTS  
NON-CONCURRED IN BY THE HOUSE  
TO HOUSE BILL NO. 871

Mr. WALKER. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 871.

Mr. HARE. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL NO. 1016

He also informed the Senate that the House has non-

concurred in the amendments made by the Senate to House Bill No. 1016, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code" changing the definition of "tractor"; and adding the definition "farm tractor"; and further providing for the classification of and the annual registration fees for tractor.

SENATE INSISTS UPON ITS AMENDMENTS  
NON-CONCURRED IN BY THE HOUSE  
TO HOUSE BILL NO. 1016

Mr. WALKER. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 1016.

Mr. HARE. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL NO. 28 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 28, entitled:

An Act to further amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, and four thousand three hundred twenty-four of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," further regulating the retirement of firemen on pensions; and requiring certain payments to be made to the Firemen's Pension Fund by cities.

and moved a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion. The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED  
ON HOUSE BILL NO. 28

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. MAHANY, HOMSHER and HALUSKA, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 28.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. HARE. Mr. President, I second the motion. The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORT OF COMMITTEE OF CONFERENCE  
ON SENATE BILL NO. 400

Mr. TALLMAN. Mr. President, I submit the report of

the Committee of Conference on Senate Bill No. 400, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing the requirement of and effect of notice to shareholders in certain cases; further limiting the use of certain words in corporate names; defining the term of office of the first directors; changing provisions relating to the inception of corporate existence or authority to do business; changing the requirements of contents of articles of incorporation and application for certificates of authority; providing for indemnification of directors and officers of certain expenses; making certain changes relating to issuance and redemption of shares, amendment of articles of incorporation, merger and consolidation; providing for the domestication of foreign corporations; and eliminating the filing of affidavit of paid in capital and clearance certificates in certain cases.

The PRESIDENT. The report will lie over for printing under the rules.

### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE CONCURRENT  
RESOLUTION RECALLING SENATE BILL No. 391,  
PRINTER'S No. 226

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 391, Printer's No. 226, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

The PRESIDENT. The bill will be laid on the table.

### NOMINATIONS BY THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF THE NAVIGATION COMMISSION FOR  
THE DELAWARE RIVER AND ITS NAVIGABLE  
TRIBUTARIES

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lewis A. Kapelski, Parkside, Delaware County, for appointment as a Member of the Navigation Commission for the Delaware River and its Navigable Tributaries, for the term of four years, and until his successor is appointed and qualified, vice William D. Mason, Swarthmore, resigned.

JAMES H. DUFF.

### NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. BARR. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 28, 1949.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

### BUTLER COUNTY

L. Wayne Barkley, Slippery Rock.

### MONTGOMERY COUNTY

Mrs. Bertha E. Frye, Pottstown.

G. Carroll Hoover, Norristown.

Mrs. Pauline M. Margolis, Lower Merion Twp., Bala Cynwyd.

### NORTHAMPTON COUNTY

Mrs. Mary A. Gallagher, Lehigh Twp., Cherryville.

### PHILADELPHIA COUNTY

Mrs. Anna H. Driskell, Phila., 857 E. Allegheny Ave. (34)  
Miss Carmela M. Fortunato, Phila., 1012-20 E. Passyunk Ave.

William F. Hayward, Phila., 327 N. 40th St.  
Miss C. Virginia Scanlan, Phila., 700 Bankers Securities Bldg.

JAMES H. DUFF.

A motion was made by Mr. BARR and Mr. HARE, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—50

Barr,  
Barrett,

Geltz,  
Haluska,

Meade,  
Neff,

Tarr,  
Taylor,

Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.  
Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 200 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 200, entitled:

An Act establishing a Pennsylvania Liquor Control Board Officers' Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board; providing for contributions by officers of the Pennsylvania Liquor Control Board and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

and has appointed Messrs. BRUNNER, REILLY and ROSE, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 394 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 394, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," as heretofore amended and reenacted, by changing the fiscal year and the dates for meetings, budgets, taxation, audits, and reports, changing the compensation of supervisors and auditors and the expense allowance of delegates, providing for appointment of non-resident persons as tax collectors and policemen, authorizing police pension annuities, empowering supervisors to acquire and operate airports, to establish police protection districts and assess the cost thereof, to widen, deepen and embank watercourses, to employ township managers and certified public accountants, changing the definition of volunteer firemen for workmen's compensation insurance purposes, the method of advertising for bids, the limitation on taxes for fire hydrant purposes, the requirements for street and road improvements, and the vote of supervisors required for zoning changes, and clarifying and revising certain provisions of said act.

and has appointed Messrs. N. WOOD, ROBERTSON and SWOPE as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 780 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 780, entitled:

An Act to further amend sections seven and eighteen of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "Female Labor Law," by deleting the wartime provision increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provision.

and has appointed Messrs. HERMAN, KENT and EVANS, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 839 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 839, entitled:

An Act to amend section twelve of the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1265), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by providing for the right to designate beneficiaries after the time of retirement.

and has appointed Messrs. MILLIKEN, ROBERTSON and SNYDER, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 871 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 871, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," providing for additional examinations for school bus operators; and further regulating safety requirements for school buses and the meeting or overtaking of school buses while taking on or discharging school children.

and has appointed Messrs. McMILLEN, DENNISON and WHEELER, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

**HOUSE INSISTS UPON ITS NON-CONCURRENCE  
IN AMENDMENTS TO HOUSE BILL NO. 1016  
AND APPOINTS COMMITTEE OF CONFERENCE**

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1016, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code" changing the definition of "tractor" and adding the definition "farm tractor"; and further providing for the classification of and the annual registration fees for tractors.

and has appointed Messrs. DENNISON, JOHNSON and WHEELER, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

**HOUSE BILL NO. 200 TAKEN FROM TABLE**

Mr. WALKER. Mr. President, I call from the table House Bill No. 200, entitled:

An Act establishing a Pennsylvania Liquor Control Board Officers' Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board; providing for contributions by officers of the Pennsylvania Liquor Control Board and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

and move a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

**COMMITTEE OF CONFERENCE APPOINTED  
ON HOUSE BILL NO. 200**

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. KEPHART, WAGNER and TARR, as a Committee of Conference on the part of the Senate to confer with a similar Committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 200.

Ordered, That the Clerk inform the House of Representatives accordingly.

**HOUSE BILL NO. 394 TAKEN FROM TABLE**

Mr. WALKER. Mr. President, I call from the table House Bill No. 394, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," as heretofore amended and reenacted, by changing the fiscal year and the dates for meetings, bulgets, taxation, audits, and reports, changing the compensation of supervisors and auditors and the expense allowance of delegates, providing for appointment of non-resident persons as tax collectors and policemen, authorizing police pension annuities, empowering supervisors to acquire

and operate airports, to establish police protection districts and assess the cost thereof, to widen, deepen and embank watercourses, to employ township managers and certified public accountants, changing the definition of volunteer firemen for workmen's compensation insurance purposes, the method of advertising for bids, the limitation on taxes for fire hydrant purposes, the requirements for street and road improvements, and the vote of supervisors required for zoning changes, and clarifying and revising certain provisions of said act.

and move a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

**COMMITTEE OF CONFERENCE APPOINTED  
ON HOUSE BILL NO. 394**

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. MAHANY, SNOWDEN and TARR, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 394.

Ordered, That the Clerk inform the House of Representatives accordingly.

**HOUSE BILL NO. 780 TAKEN FROM TABLE**

Mr. WALKER. Mr. President, I call from the table House Bill No. 780, entitled:

An Act to further amend sections seven and eighteen of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "Female Labor Law," by deleting the wartime provision increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provision.

and move a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

**COMMITTEE OF CONFERENCE APPOINTED  
ON HOUSE BILL NO. 780**

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. BERGER, T. NEWELL WOOD and NEFF, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 780.

Ordered, That the Clerk inform the House of Representatives accordingly.

**HOUSE BILL NO. 839 TAKEN FROM TABLE**

Mr. WALKER. Mr. President, I call from the table House Bill No. 839, entitled:

An Act to amend section twelve of the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1265), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by providing for the right to designate beneficiaries after the time of retirement.

and move a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED  
ON HOUSE BILL NO. 839

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WADE, WAGNER and LANE, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 839.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL NO. 871 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 871, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," providing for additional examinations for school bus operators; and further regulating safety requirements for school buses and the meeting or overtaking of school buses while taking on or discharging school children.

and move a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED  
ON HOUSE BILL NO. 871

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. SNOWDEN, DOLAN and YOSKO, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 871.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL NO. 1016 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 1016, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code" changing the definition of "tractor" and adding the definition "farm tractor"; and further providing for the classification of and the annual registration fees for tractors.

and move a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED  
ON HOUSE BILL NO. 1016

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. SNOWDEN, WATKINS and HOLLAND, as a Committee

of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1016.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 193 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 193, which was returned from the House with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 193, entitled:

An Act concerning Notaries Public and amending, revising, consolidating and changing the law relating thereto.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 12, page 6, by inserting between lines 10 and 11, the following:

"The new commission of any female notary issued under the provisions of this section who shall for the space of thirty (30) days after the issuance thereof neglect to give bond take and subscribe the Constitutional oath of office and cause the same and her commission and oath to be recorded as herein provided shall be null and void Provided That where a new commission is issued under the provisions of this section during the recess of the Senate and such appointment is thereafter confirmed when the Senate convenes the new commission oath and bond of such notary need not be recorded until the end of the Session in which such Senate confirmation was had

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE TO SENATE BILL No. 193

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 193.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### HOUSE MESSAGES

#### HOUSE DISCHARGES COMMITTEE OF CONFERENCE ON HOUSE BILL No. 200

The Clerk of the House of Representatives being introduced, informed the Senate that the House has discharged the House Committee of Conference on House Bill No. 200, entitled:

An Act establishing a Pennsylvania Liquor Control Board Officers' Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board; providing for contributions by officers of the Pennsylvania Liquor Control Board and the Commonwealth, providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

#### HOUSE INSISTS UPON IT NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 200

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 200, entitled:

An Act establishing a Pennsylvania Liquor Control Board Officers' Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board; providing for contributions by officers of the Pennsylvania Liquor Control Board and the Commonwealth, providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

#### COMMITTEE OF CONFERENCE ON HOUSE BILL No. 200 DISCHARGED

Mr. KEPHART. Mr. President, I desire to report from the Committee of Conference on House Bill No. 200, the committee recommends that the Senate recede from its amendments.

Mr. President, I move that the Committee of Conference, on the part of the Senate, on House Bill No. 200, entitled:

An Act establishing a Pennsylvania Liquor Control Board Officers' Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board; providing for contributions by officers of the Pennsylvania Liquor Control Board and the Commonwealth, providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns,

benefits, and rights from taxation and judicial processes; and providing penalties.

be discharged.

Mr. WALKER. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE RECEDES FROM ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 200

Mr. WALKER. Mr. President, I move that the Senate recede from its amendments non-concurred in by the House to House Bill No. 200, entitled:

An Act establishing a Pennsylvania Liquor Control Board Officers' Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board; providing for contributions by officers of the Pennsylvania Liquor Control Board and the Commonwealth, providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Honshier,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### STUDENTS FROM RITTENHOUSE COLLEGE, PHILADELPHIA, PENNSYLVANIA, PRE- SENTED TO SENATE

Mr. STIEFEL. Mr. President, we are honored tonight with the presence of a group of ten students from the Rittenhouse College in Philadelphia, who are attending the Collegiate Conference on Government.

The PRESIDENT. The Chair is, indeed, glad to welcome the students from Rittenhouse College, and we hope you enjoy the session.

#### PERMISSION TO ADDRESS SENATE

Mr. FRAZIER asked and obtained unanimous consent to address the Senate.

Mr. FRAZIER. Mr. President, I would regret it exceedingly if I did not have the opportunity of saying a few words before we adjourn.

I am quite happy and a little sad today, happy that the House of Representatives was kind enough to pass a very important bill of mine—well, not so important. It was a bill which went to the great extent of including in it the right of action for damages, as prepared by me, together with motor vehicles, horse drawn vehicles. The very keen minded Senator Mahany said, "Why horse drawn? Why not animal drawn? Some day you might be the goat and draw one," and, therefore, he amended it to make it animal drawn.

Now, Mr. President, that was very gracious of the House to do that for me, but I am a little concerned about the ignorance of the Senate. All of these forty-nine associates of mine were dumb enough to pass a number of my bills that I thought were of some merit, 50-0. They went over to the House, and the intelligent men over there determined they had no merit in them, and they stayed in committee, but I am happy to say that I got one bill through the House, and maybe if I ever come back, I will see that they go to different committees in the House, or I will take some other steps.

Now, just one other thing I want to talk about, if I may. Mrs. President, I had the privilege of having in my Senatorial District, and in my own division Post No. 488, Veterans of Foreign Wars, and a very close friend of mine is Commander Lambert. I want to say, Mr. President, for them, that I believe nobody in America, nobody in Pennsylvania, is more keenly interested in canteen legislation than the sponsor, the gentleman from Lackawanna, Senator Fraser P. Donlan, a former Major in the Marine Corps, and I believe with the utmost sincerity he attempted to do what my Post would like to have done, but he came to a conclusion after many conferences that he couldn't satisfy the Department of Justice as to the constitutionality of the bills, and, therefore, it was only for that reason that he permitted them to die. I want to say for him, and on behalf of him, that it was with the utmost sincerity and good faith that he undertook that mission.

Mr. President, there is just one other thing I want to say before I sit down. I think I would be a little amiss if I didn't say it. I want to say how happy I am that we have had such efficient and able help surrounding us in the Senate of Pennsylvania, and I have had occasion to go to one department very frequently, and that is on the first floor, the office of the Senate Librarian. I want to take at this moment the opportunity of saying that I think Charlie Lathero—I hope he is listening—is one of the finest executives that the Senate has ever had. He handles the job down there most efficiently, he is surrounded by able help, and he has, I think, enough of executive ability and political mind to be of great help to me in West Philadelphia if I should ever run again in 1950.

Mr. President, I appreciate very much being given this opportunity of saying a few words, and I hope that the Post in West Philadelphia understands that the reason they did not get a license in the canteen is that under the constitution, Senator Donlan could not accomplish this for them.

STUDENTS FROM DUQUESNE UNIVERSITY,  
PITTSBURGH, PENNSYLVANIA, PRESENTED  
TO SENATE

Mr. HOLLAND. Mr. President, also attending this Collegiate Conference on Government are a number of boys from my Alma Mater, Duquesne University, Pittsburgh.

I would like to present to the Members of the Senate a group of boys from Duquesne University, Pittsburgh.

The PRESIDENT. The Chair is, indeed, glad to welcome the students from Duquesne University, and we hope you enjoy the closing hours of the Session.

PERMISSION TO ADDRESS SENATE

Mr. DiSILVESTRO asked and obtained unanimous consent to address the Senate.

Mr. DiSILVESTRO. Mr. President, not wanting to take up the time of the Senate this morning, I changed my mind about this Resolution, but since Senator Frazier spoke about the help of the Senate. I would like to present this Resolution at this time.

SENATE RESOLUTION

EXTENDING THE THANKS OF THE SENATE TO THE  
VARIOUS OFFICERS AND EMPLOYES OF THE  
SENATE FOR THEIR WORK IN THE  
SESSION OF 1949

Mr. DiSILVESTRO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DiSILVESTRO offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 28, 1949.

Whereas, The Lieutenant-Governor, the President Pro Tempore, the Majority Floor Leader, the Majority Whip, the Chairman of the Republican Caucus, the Minority Floor Leader, the Minority Whip and the Chairman of the Democratic Caucus have been duly thanked, congratulated, felicitated and lauded for their exemplary service during the 138th Regular Session of the General Assembly; and

Whereas, All of these gentlemen have performed their duties faithfully and well; and

Whereas, it is internationally known that the Senate of Pennsylvania gives credit where credit is due; therefore be it

Resolved, That the Senate of Pennsylvania do hereby officially thank and congratulate the faithful and hard-working staff of Senate officials and employes for a good job well done; and be it further

Resolved, That the official record show the gratitude and esteem that we the members hold for Secretary Watkins, Chief Clerk Ridge, Librarian Lathero, Chief Reporter Nolan and all others on the Senate staff who have done their work so admirably.

REPORT FROM COMMITTEE ON EXECUTIVE  
NOMINATIONS

Mr. LORD, JR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LORD, JR., from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor of the Commonwealth:

MEMBER OF THE NAVIGATION COMMISSION FOR  
THE DELAWARE RIVER AND ITS NAVIGABLE  
TRIBUTARIES

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.

To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

In conformity with law, I have the honor hereby to  
nominate for the advice and consent of the Senate Lewis  
A. Kapelski, Parkside, Delaware County, for appoint-  
ment as a Member of the Navigation Commission for  
the Delaware River and its Navigable Tributaries, for  
the term of four years, and until his successor is ap-  
pointed and qualified, vice William D. Mason, Swarth-  
more, resigned.

JAMES H. DUFF.

CONSIDERATION OF EXECUTIVE NOMINATION  
RULE 38 SUSPENDED

By unanimous consent,

A motion was made by Mr. LORD, JR., and Mr.  
WATKINS,

To grant unanimous consent to immediate considera-  
tion of the nomination just reported from the Committee  
on Executive Nominations, and the Senate do now resolve  
itself into Executive Session, for the purpose of acting  
upon the nomination reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. LORD, JR. and Mr.  
WATKINS,

That the Senate do advise and consent to the nomina-  
tion reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the pro-  
visions of the Constitution, and were as follows, viz:

YEAS—50

Barr.	Geltz.	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the  
question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. LORD, JR. Mr. President, I move that the Execu-  
tive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 488 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table  
Senate Bill No. 488, which was returned from the House  
with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill  
No. 488, entitled:

An Act to further amend sections fifteen and twenty-one  
of the act, approved the sixteenth day of May, one thou-  
sand nine hundred and twenty-three (P. L. 207), entitled  
"An act providing when, how, upon what property, and to  
what extent, liens shall be allowed for taxes and for muni-  
cipal improvements, for the removal of nuisances, and for  
water rents or rates, sewer rates, and lighting rates; for  
the procedure upon claims filed therefor; the methods for  
preserving such liens and enforcing payment of such  
claims; the effect of judicial sales of the properties lien-  
ed; the distribution of the proceeds of such sales, and the  
redemption of the property therefrom; for the lien and  
collection of certain taxes heretofore assessed, and of  
claims for municipal improvements made and nuisances  
removed, within six months before the passage of this act;  
and for the procedure on tax and municipal claims filed  
under other and prior acts of Assembly," by clarifying  
certain provisions; eliminating provisions for signatures  
of county controllers and facsimile signatures; and requir-  
ing the payment to the prothonotary of additional fees  
under certain circumstances.

which was returned from the House of Representatives  
with amendments.

The Clerk read the amendments as follows:

Amend the Title, page 2, by inserting between lines 10  
and 11 of the Title, the following: "in certain counties and  
political subdivisions thereof;" Amend Section 1, page 4,  
by inserting after line 19, the following: "in all counties  
of the fifth class and the political subdivisions in such  
counties;" Amend Section 1, page 5, line 1, by striking out  
the right-faced bracket before the word "shall;" Amend  
Section 1, page 5, line 1, by striking out the left-faced  
bracket after the word "dollar," and before the word  
"shall," and inserting in lieu thereof, the following: "and  
in all other classes of counties and the political subdivi-  
sions thereof he."

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE TO SENATE BILL No. 488

Mr. WALKER. Mr. President, I move that the Senate  
do concur in the amendments made by the House to  
Senate Bill No. 488.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provi-  
sions of the Constitution, and were as follows, viz:

YEAS—50

Barr.	Geltz.	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### PRESENTATION OF WEDDING GIFTS TO THE HONORABLE JOSEPH M. BARR

Mr. WALKER. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will proceed with his question of personal privilege.

Mr. WALKER. Mr. President, I have had the privilege over the past eight years, of serving in this Senate with one of the favorite sons of Allegheny County, the distinguished gentleman from the fair city of Pittsburgh, the Honorable Joseph M. Barr.

Those of us who have had the rare privilege of knowing Joe Barr have learned to love him not in spite of but because of his very friendly personality, and his fiery, firecracker temper. One of the finest exhibitions that I have seen in my public life is Joe Barr insisting in his flaming tongue that I keep my temper.

Mr. President, back in 1920, I had the rare distinction and privilege of joining a very select fraternity, known to those of us who have been blessed by being officially initiated into that family of folks who are married. Now, Mr. President, that is a very hallowed fraternity. There are a lot of people who are not privileged to enter into that fraternity. There are some who enter into it slowly and after a lot of meditation and careful thought. There are some who enter into it because they have patiently sought the one person with whom they feel they can spend the rest of their life.

Mr. President, I want to say right now, with all due deference to the forth-coming Pennsylvanian, who will in the very near future be Mrs. Barr, she has a task on her hands. I am only sorry, Mr. President, that he did not have the courage to bring the young lady to Harrisburg for the closing days of this Session, so that the other forty-nine Members of this Senate would have the opportunity of explaining to her some of the idiosyncrasies of our co-patriot through life. I think we could explain to her best how he can be managed. I think we could explain to her some of his follies and some of his weaknesses, and perhaps somebody would weaken and tell her some of his good qualities, too.

Mr. President, one of the nice things about Senator Barr is that he is strictly non-partisan, and he is going to prove that on the fourth day of June by marrying a Republican. Mr. President, I am deeply interested; I would like to see two registration cards about the Fall of this year; I want to see who won out. If Senator Barr is a candidate for re-election on the Republican Ticket, I think that we here on the Republican Side should appoint Mrs. Barr as the very favorite Republican of the Republican Senate of Pennsylvania, because she is certainly entitled to a star in her crown for converting one of the wildest Democrats and New Dealers it has ever been my privilege to come in contact with.

For years, Mr. President, I have had the opportunity of occasionally presiding over the deliberations of this dignified body known as the Senate of Pennsylvania. Mr. President, repeatedly I have been insulted deliberately by

my colleague and good friend. The only time we are ever together is when we are carrying the ball for our Alma Mater.

Now, Mr. President, there are a few of us who will be unable to get out to the state of Illinois. Is that correct, "Joey?"

Mr. BARR. That is correct.

Mr. WALKER. A few of us will be unable to get out to the state of Illinois to witness the nuptial ceremony, but I want Joe Barr to know that on June fourth, every Republican Senator—there is something for you, Joe, that happens to be "Pop-Pop's" birthday—on June fourth every Republican Senator somewhere in the forty-eight states of this Union, regardless of where they may happen to be scattered, is going to take time out to enter into a licensed establishment, and on behalf of Senator and Mrs. Joseph M. Barr, they are going to raise their glasses on high and say to you, "Joe, may you live to be a thousand years," and "Joey," all I can say is I hope you are just as happy as we are.

Mr. DENT. Mr. President, I just want to give Joe the very first lesson which he is going to learn about June fourth. He started to get up as if he wanted to talk.

Senator Walker has touched a very fine spot tonight when he touched a spot that is very close to the hearts of the Democratic Members, and I know the Republican Members, too, and that is that we are coming to that day when we will see the parting of the word between forty-nine Senators and one of their colleagues because there is a great deal of difference in how a man acts after he takes on the full responsibilities of married life.

Mr. President, this afternoon some one said to me, "Why, Joe's getting married at the right time." Now, Mr. President, there are some men in this Senate who might question that there is a right time. I want to say that I can talk a little plainer than Senator Walker talked because I, fortunately, left my wife home tonight, and although I know Mrs. Walker and I can say that on his side he has no complaints, I do not have much to say about her side, but I know that every man in this Senate who has lived in the bliss of married life can assure Joe Barr that he has not even started to live yet, because there is something fine about the responsibilities of married life, and that very fine touch of coming in at three or four o'clock in the morning, but Joe, do not ever get into that same position that a friend of mine gets into. You know, being a bachelor so long, you may not realize it, but night closes around ten o'clock after you are married and, although she will not be around with any trumpet to sound, she will be sounding it when you get in.

Mr. President, a friend of mine once—if you ladies will excuse me, I hope you do not listen—a friend of mine was the type of fellow that got married late in life, something like my close friend Lloyd Wood. He ought to be making this speech because I fell early before I had much resistance, Joe, but Lloyd ran out on us. Where is Mr. Wood, may I ask? This is as much a speech for him as it is for Joe Barr.

Joe, if ever you come in at four o'clock in the morning, and your wife is sleeping, and she rolls over and says, "Is that you, Joe?" there is one stock answer, and you better learn it now. You just say, "It better be."

Mr. President, the Members of the Senate of Pennsylvania and some of our friends delegated a small com-

mittee of the Senate, made up of Republicans and Democrats, to form a committee to pick out some memento to present to Senator Barr tonight that he would take with him on that never to be forgotten trip on June fourth, to remember as years roll by that he sat in the greatest deliberative body in the Commonwealth, and I would say in the entire nation; that he sat with men, although they differed on many occasions upon the various acts of the Legislature before them, they never differed in principle and always fought to the best of their ability for the things they believed to be right; and, Joe, as the years go by, and you have occasion to look upon the face of one of the gifts that we are giving you, I think the hands upon it will reach out and say to you, these are the hands of friendship, leaning across the years to shake your hand again, given by your colleagues in the Senate of Pennsylvania in 1949.

Senator Barr, on behalf of your colleagues in the Senate, I would like to present to you this small token of our regard.

(Presentation of Gift to the Honorable Joseph M. Barr.)

Mr. T. NEWELL WOOD. Mr. President, I think that our distinguished Senator from Allegheny County is probably about to make one of the great mistakes of his life. Joe, if you will just look over here in the visitors gallery, you will see what happens after sixteen years or seventeen years of it. When you want to come to the Session, your wife is going to come with you, because she will be lonesome at home alone, so I warn you that I do not believe she will have much use for the little token that we have for you, if she is not going to have you there to hold her hand and say kind words to her, and explain all of the legislation, and when you get all through, she will say, "Honey, what did you say?"

Joe, with the compliments of all your friends in the Senate, I present to you this token of our esteem.

(Presentation of Gift to The Honorable Joseph M. Barr.)

Mr. BARR. Mr. President and Members of the Senate, I am more confused than usual, and that is really a confused mind.

I actually want to say that I am flabbergasted. In fact, during this whole Session I have not slept well at night worrying about the bill—Senator Rosenfeld says, "the bill is to come." Mr. President, as you know, I am rather a gabby person, but now I am at a loss for words.

Mr. President, there is one thing that I have missed in this Session, and that is my usual fights with "Johnny" Walker. When "Johnny" was not the Majority Leader, his wife used to complain when she picked up the Pittsburgh papers, and saw that John and I did not have a fight this one certain day, but, Mr. President and Members of the Senate, I knew what an arduous job "Johnny" had this year, so we got along very well.

Now, Mr. President, John made a very, very bad misstatement when he was talking. He said that the only time we were together was on something for "Pitt". The last official act in this Senate tonight was when we agreed on the House amendments to the Barr-Walker Senate Bill No. 488, which had nothing to do with the University of Pittsburgh.

Seriously, Mr. President, I know that at the next Session I will probably have to live a little different life, and by that I mean by going home just a little earlier.

Mr. President, it is true that my sweetheart is a

Republican, but I guarantee you, John, that means one more Democrat, come this November.

I seriously am at a loss, as I said, for words. I do not know just how to thank the forty-nine friends I have in this Senate Chamber. I thought that "Johnny" Dent said it very well yesterday when he was talking about if we had to eliminate one of the thirty-five, which one we would eliminate. We have had some great fights and great arguments, but when we get beyond the rail, we are all very personal friends.

Mr. President, I think about the only thing I can say is that in my opinion there are fifty gentlemen, and I am going to include myself, fifty-one with the Lieutenant-Governor in this Body, and I thank you gentlemen from the bottom of my heart.

Mr. TARR. Mr. President, I am very, very happy tonight over the good luck and good fortune of my good friend and colleague on my left, and I would like to say to you on my right, that I am very happy because he is entering into this proposed merger with such a light heart, and with such high and fond hopes, and I just want to tell my good friend, Joe, that even though he has been sitting here with us in the Minority, he has never been in the minority before. I want him to know that we who have gone before know that he is now joining the army that has never won a battle.

Mr. President, I will say that perhaps if my good friend does become the benedict, next year, when the telephone rings, and they do not know whether they want Barr or Tarr, we will not have the Barr, Tarr and Carr mix-up, but I do wish for him everything that is good in this life and I am hopeful that he can persuade the little woman to become a Democrat. However, we who have fought the battle know that he has two strikes against him, and the gun in the other hand is loaded, but all the luck in the world to Joe, and to his lovely Alice. We hope to see him here in the Senate come a couple of years, and we can say that besides Joe being the best little old fellow in the Senate, they are the nicest couple in the state.

The PRESIDENT. I might say that the Senate does something for the Senators who are married, and absence makes the heart grow fonder to a great degree, because one night one of the distinguished Senators from this Body, after leaving here in the wee hours of the morning, went out for a stroll to get stuff and things, and got back to his hotel room and said, "I must call up my wife and just say hello", and he called up and said to his wife, "How are you, dear?" She said, "Fine", and then he said, "Where are you?" "Listen", she said, "I am at home, the same place I was three minutes ago when you called me up."

#### ANNOUNCEMENT BY MAJORITY FLOOR LEADER

Mr. WALKER. Mr. President, may I suggest to the gentlemen of the Senate that we will clear the desk, and then make arrangements for the press to take over the Senate. They have taken us across many times so they may as well start taking us over.

#### HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE SENATE TO  
SENATE BILL NO. 367

The Clerk of the House of Representatives being in-

roduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 367, entitled:

An Act to further amend sections four three hundred one and five hundred one of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2896) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for modification of the manner in which employer contribution rates are determined

#### SENATE INSISTS UPON ITS NONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 367

Mr. WALKER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 367, and that a Committee of Conference on the part of the Senate be appointed.

Mr. WAGNER. Mr. President, I second the motion. The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL NO. 367

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. LOYD H. WOOD, GELTZ and DENT, as a Committee of Conference on the part of the Senate to confer with similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 367.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL NO. 286 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 286, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide money for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such com-

pensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" eliminating certain obsolete provisions thereof clarifying certain definitions and terms changing the rights and obligations of employers and employees thereunder and requiring prothonotaries to enter certain liens without prepayment of costs

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL NO. 446 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 446, entitled:

An Act to amend sections one two three four and seven and to repeal section five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" prohibiting the levy and collection of certain taxes providing for an over-all limit on revenues to be collected annually and for the use of excess moneys collected requiring reduction of tax rates in certain cases and affording remedies to compel such reduction imposing limits on rates of certain taxes regulating appeals from tax ordinances and resolutions providing for joint agreements for the collection of taxes regulating penalties and interest on taxes.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL NO. 585 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 585, entitled:

An Act authorizing certain officers in cities of the first class and second class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class in cities of the second class and in school districts of the first class under certain conditions.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 621 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 621, entitled:

An Act to amend the title and the act, approved the eighth day of July, one thousand nine hundred forty-seven (P. L. 1433), entitled "An act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools; providing for contractual liability; conferring powers and imposing duties on the State Council of Education; and prescribing penalties," by transferring the administration of this act to the State Board of Private Correspondence Schools; changing definitions, bringing eleemosynary institutions within the provisions of the act, eliminating the advisory committee; regulating the advertising and soliciting for students by private correspondence schools, requiring the registration of agents of such schools where their home office is outside of this Commonwealth and providing for a separate non-transferable license for each school.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 622 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 622, entitled:

An Act to amend the act, approved the eighth day of July, one thousand nine hundred forty-seven (P. L. 1428), entitled "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof; conferring powers and imposing duties upon the State Board of Private Business Schools; and prescribing penalties," by bringing certain non-profit and all eleemosynary institutions within the provisions of the act; regulating the advertising and soliciting for students; including teachers within the definition of the term "agent"; requiring agreement to file surety bond when requested; restricting schools and agents to those subjects specified in their application and providing for a separate non-transferable license for each school.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 623 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 623, entitled:

An Act to amend the title and the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 951), entitled "An act defining and providing for the licensing and regulation of private schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties," by transferring the administrative duties to the State Board of Private Academic Schools; changing definitions, bringing eleemosynary institutions within the provisions of this act; eliminating the advisory committee; regulating the advertising and soliciting for students and restricting agents in connection therewith; requiring agreement of schools to file surety bond when requested; and providing for a separate non-transferable license for each school.

with the information that the House has passed the same

with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 624 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 624, entitled:

An Act to further amend section two hundred two and to add sections four hundred fifty-five, four hundred fifty-six, four hundred fifty-seven and four hundred fifty-eight to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistant and employees of certain departments, boards and commissions shall be determined," by adding State Board of Private Academic, Private Business, Private Trade and Private Correspondence Schools, to the Department of Public Instruction as administrative departmental boards and to provide for the appointment of the members to said boards.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 625 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 625, entitled:

An Act to amend the title and sections one, two, three, four, six, seven and ten of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 401), entitled "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board for Vocational Education; and prescribing penalties," by transferring the administration of this act to the State Board of Private Trade Schools; bringing eleemosynary institutions within the provisions of the act; eliminating the advisory committee; regulating the advertising and soliciting for students by private trade schools; changing provisions as to licenses and the holder thereof and increasing the fees for such licenses, and providing for a separate non-transferable license for each school.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

# SENATE BILL NO 629 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 629, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employe" and "Original member" to include persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

# SENATE BILL No. 645 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 645, entitled:

An Act requiring companies and organizations subject to examination by the Insurance Commissioner to maintain uniform classifications of accounts and records; make uniform reports; and prescribing penalties.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

# SENATE BILL No. 716 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 716, entitled:

An Act creating a Highway Planning Commission to develop a long range highway program for the Commonwealth and to make report thereon; defining the powers and duties of the commission; and making an appropriation out of the Motor License Fund.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

# SENATE BILL No. 725 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 725, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public

utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots; and eliminating expired provisions.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

# SENATE BILL No. 729 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 729, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating

contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duties of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation by towing of wrecked or disabled motor vehicles; and eliminating expired provisions.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 795 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 795, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Forests and Waters, to acquire two tracts of land in Somerset and Bedford Counties, to be used as a State park under the jurisdiction of the Department of Forests and Waters, and devoted to hunting, fishing and recreational purposes; and making an appropriation.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 796 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 796, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by fixing the compensation and mileage of county auditors in such counties.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 860 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 860, entitled:

An Act to amend section three of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1199) entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas providing for the appointment by the board of personal property assessors real estate assessors and assistant real estate assessors clerks and other employees fixing the salaries of members of the board assessors and assistant assessors and providing for the payment of salaries and expenses from the county treasury prescribing the powers and duties of the board and of the assessors the time and manner of making assessments of the revision and notice of assessments and of appeals therefrom prescribing the records of assessments and repealing existing laws" by further prescribing the terms of the officers of the board of revision of taxes

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 877 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 877, entitled:

An Act establishing the Pennsylvania State Firemen's Training School, providing for its operation and maintenance by the Department of Public Instruction, authorizing the acquisition of a site, either by gift or purchase by the Commonwealth, or by The General State Authority or the use of land now owned by the Commonwealth; providing for the erection or construction and the furnishing and equipping of buildings and structures by The General State Authority and the leasing thereof by the Commonwealth; and conferring powers and imposing duties upon the Department of Public Instruction and the Public Service Institute Board.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 894 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 894, entitled:

An Act to amend section seven hundred seventy-three of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by permitting tapping of water lines of school districts under certain circumstances.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 939 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 939, entitled:

An Act making bonds of school districts valid and binding obligations of such districts despite failure to advertise election in a newspaper of general circulation

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 956 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 956, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further providing for the uniformity control and erection of traffic signs, signals and markings.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 959 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 959, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by prohibiting soliciting or accepting gifts or donations from teachers or supervisors by school directors; authorizing withholding of State appropriations; clarifying the term "professional employee;" changing provisions for minimum salaries of part-time teachers, supervisors and principals and State reimbursement therefor; and providing for part-time and evening vocational classes, schools, departments and programs, attendance thereat in other districts, and reimbursement therefor between school districts.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 984 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 984, entitled:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft and prescribing penalties.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 987 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 987, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Cheyney Training School for teachers, to acquire a tract of land in Delaware County, for the use of Cheyney Training School for teachers; and making an appropriation therefor.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL No. 585 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 585, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 585, entitled:

An Act authorizing certain officers in cities of the first and second class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class in cities of the second class and in school districts of the first class under certain conditions

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, lines 5 and 6 of the Title, by striking out after the word "first" in line 5 and before the word "class" in line 6, the following: "and second"; Amend the Title, page 2, line 1 and 2 of the Title, by striking out after the word "class" in line 1, and before the word "and" in line 2, the following: "in cities of the second class"; Amend Section 1, page 2 lines 9 and 11, by striking out after the left-faced parenthesis in line 9, and before the word "the" in line 11, the following: "the controller treasurer and president of council of a city of the second class or if (c)."

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 585

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 585.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL NO. 877 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 877, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 877, entitled:

An Act establishing the Pennsylvania State Firemens Training School, providing for its operation and maintenance by the Department of Public Instruction, authorizing the acquisition of a site, either by gift or purchase by the Commonwealth, or by The General State Authority or the use of land now owned by the Commonwealth; providing for the erection or construction and the furnishing and equipping of buildings and structures by The General State Authority and the leasing thereof by the

Commonwealth; and conferring powers and imposing duties upon the Department of Public Instruction and the Public Service Institute Board.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, line 1 of the Title, by inserting after the word "School" and before the part-word "pro," the following: "in or adjacent to the borough of Lewistown"; Amend Section 6, page 4, line 9, by striking out after the word "land" and before the word "located," the following: "centrally"; Amend Section 6, page 4, line 9, by inserting after the word "located" and before the word "for," the following: "in or adjacent to the borough of Lewistown."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 877

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 877.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### COMMENDING EMPLOYEES OF CAPITOL CAFETERIA

The PRESIDENT. The Chair at this time, on behalf of the Members of the Senate, would like to call attention to the very distinguished group of helpers in the Cafeteria, and would suggest we give them a hand for the fine service they have rendered during this Session.

#### HOUSE MESSAGES

#### HOUSE DISCHARGES COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 839

The Clerk of the House of Representatives being introduced, informed the Senate that the House has discharged the House Committee of Conference on House Bill No. 839, entitled:

An Act to amend section twelve of the act approved the fourth day of June, one thousand nine hundred thirty-

seven (P. L. 1265), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by providing for the right to designate beneficiaries after the time of retirement.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 839

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 839, entitled:

An Act to amend section twelve of the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1265), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by providing for the right to designate beneficiaries after the time of retirement.

COMMITTEE OF CONFERENCE ON HOUSE BILL BILL NO. 839 DISCHARGED

Mr. WALKER. Mr. President, I move that the Committee of Conference, on the part of the Senate, on House Bill No. 839, entitled:

An Act to amend section twelve of the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1265), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by providing for the right to designate beneficiaries after the time of retirement.

be discharged.  
Mr. HALUSKA. Mr. President, I second the motion.  
The motion was agreed to.  
Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE RECEDES FROM ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 839

Mr. WALKER. Mr. President, I move that the Senate recede from its amendments non-concurred in by the House to House Bill No. 839, entitled:

An Act to amend section twelve of the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1265), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by providing for the right to designate beneficiaries after the time of retirement.

Mr. HALUSKA. Mr. President, I second the motion.  
On the question,  
Will the Senate agree to the motion?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- |          |          |            |          |
|----------|----------|------------|----------|
| Barr,    | Geltz,   | Meade,     | Tarr,    |
| Barrett, | Haluska, | Neff,      | Taylor,  |
| Berger,  | Hare,    | Pechan,    | Toole,   |
| Blass,   | Holland, | Peelor,    | Wade,    |
| Chapman, | Homsher, | Robinson,  | Wagner,  |
| Crowe,   | Kephart, | Rosenfeld, | Walker,  |
| Dent,    | Lane,    | Ruth,      | Watkins, |

- |              |                 |            |              |
|--------------|-----------------|------------|--------------|
| Diehm,       | Leader,         | Scarlett,  | Watson,      |
| DiSilvestro, | Letzler,        | Snowden,   | Wolfe,       |
| Doehla,      | Lord,           | Stevenson, | Wood, L. H., |
| Donlan,      | Mahany,         | Stiefel,   | Wood, T. N., |
| Farrell,     | Mallery,        | Tallman,   | Yosko,       |
| Frazier,     | McPherson, Jr., |            |              |

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED BY THE SENATE TO SENATE BILL No. 367 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 367, entitled:

An Act to further amend sections four three hundred one and five hundred one of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2896) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personal (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for modification of the manner in which employer contribution rates are determined

and has appointed Messrs. HELM, KENT and EVANS, as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

SENATE BILL No. 286 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 286, which was returned from the House with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,  
The Senate resumed the consideration of Senate Bill No. 286, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L.2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personal (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination, payment and collection of such con-

tributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," eliminating certain obsolete provisions thereof clarifying certain definitions and terms, changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 1, by striking out after the numeral "1" and before the word "four", the following: "Section" and inserting in lieu thereof, the following: "subsections (a) to (j) inclusive (l) to (x) inclusive (z) (z.1) and (z.2) of section"; Amend Section 1, Subsection (k), pages 9 and 10, by striking out all of Subsection (k). Amend Section 1, Subsection (y), pages 31 and 31, by striking out all of Subsection (y); Amend Section 6, pages 39 to 57, by striking out all of Section 6; Amend Section 7, page 57, line 18, by striking out after the word "Section" and before the word "subsection", the following: "7" and inserting in lieu thereof, the following: "6"; Amend Section 8, page 58, line 13, by striking out after the word "Section" and before the word "Section", the following: "8" and inserting in lieu thereof, the following: "7"; Amend Section 9, page 59, line 19, by striking out after the word "Section" and before the word "Subsections", the following: "9" and inserting in lieu thereof, the following: "8"; Amend Section 10, page 63, line 6, by striking out after the word "Section" and before the word "Subsections", the following: "10" and inserting in lieu thereof, the following: "9"; Amend Section 11, page 63, line 9, by striking out after the word "Section" and before the word "Section", the following: "11" and inserting in lieu thereof, the following: "10"; Amend Section 12, page 65, line 7, by striking out after the word "Section" and before the word "Section", the following: "12" and inserting in lieu thereof, the following: "11"; Amend Section 13, page 68, line 8, by striking out after the word "Section" and before the word "Article", the following: "13" and inserting in lieu thereof, the following: "12"; Amend Section 14, page 69, line 7, by striking out after the word "Section" and before the word "Subsection", the following: "14" and inserting in lieu thereof, the following: "13"; Amend Section 15, page 70, line 14, by striking out after the word "Section" and before the word "Section", the following: "15" and inserting in lieu thereof, the following: "14"; Amend Section 16, page 72, line 12, by striking out after the word "Section" and before the word "Section", the following: "16" and inserting in lieu thereof, the following: "15"; Amend Section 17, page 72, line 15, by striking out after the word "Section" and before the word "Section", the following: "17" and inserting in lieu thereof, the following: "16"; Amend Section 18, page 74, line 3, by striking out after the word "Section" and before the word "Section", the following: "18" and inserting in lieu thereof, the following: "17"; Amend Section 19, page 74, line 6, by striking out after the word "Section" and before the word "The", the following: "19" and inserting in lieu thereof, the following: "18"; Amend Section 19, page 74, lines 6 and 7, by striking out after the word "provisions" in line 6 and before the word "shall" in line 7, the following: "of all sections of this act except section six" and inserting in lieu thereof, the follow-

ing: "of this act", Amend Section 19, page 74, lines 8 and 9, by striking out after the word "forty-nine" in line 8, the following: "The provisions of section six of this act shall become effective the first day of January one thousand nine hundred fifty".

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 286

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 286.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 446 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 446, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 446, entitled:

An Act to amend sections one two three four and seven and to repeal section five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessments and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" prohibiting the levy and collection of certain taxes providing for an overall limit on revenues to be collected annually and for the

use of excess moneys collected requiring reduction of tax rates in certain cases and affording remedies to compel such reduction imposing limits on rates of certain taxes regulating appeals from tax ordinances and resolutions providing for joint agreements for the collection of taxes regulating penalties and interest on taxes.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, lines 1 and 2 of the Title, by striking out after the word "seven" in line 1, and before the word "of" in line 2, the following: "and to repeal section five"; Amend the Title, page 2, lines 9 and 10 of the Title, by striking out after the word "taxes" in line 9, and before the word "providing" in line 10, the following: "making an exception for cities of the second class"; Amend Section 1, page 4, lines 10 to 12, by striking out after the word "fee" in line 10, and before the right-faced bracket in line 12, the following: "or which is now or does hereafter become specifically exempted or relieved from such state tax or license fee"; Amend Section 1, page 4, line 17, by striking out after the word "action" and before the word "any", the following: "related to" and inserting in lieu thereof, the following: "involving the rendering of"; Amend Section 1, page 5, line 15, by inserting after the word "subdivision" and before the right-faced parenthesis, the following: "provided that this limitation (5) shall apply only to school districts of the second third and fourth classes"; Amend Section 1, page 12, line 9, by striking out the right-faced bracket after the word "of" and before the word "at". Amend Section 1, page 12, line 9, by striking out the left-faced bracket after the word "of" and before the word "petitioner"; Amend Section 1, page 12, line 9, by striking out after the word "the" and before the part-word "peti-", the following: "petitioner or"; Amend Section 1, page 14, line 8, by striking out after the word "Penalties" and before the word "Any", the following "and interest"; Amend Section 1, page 14, lines 9 to 11, by striking out after the word "penalties" in line 9, and before the word "for" in line 11, the following: "not exceeding five per centum (5%) and interest at the rate of six per centum (6%) per annum"; Amend Section 1, page 14, by striking out all of lines 15 and 16; Amend the bill page 14, line 17, by striking out after the word "Section" and before the word "All", the following: "4" and inserting in lieu thereof, the following: "2".

On the question,  
Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 446

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 446.

Mr. HARE. Mr. President, I second the motion.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS— 41			
Barr,	Frazier,	Meade,	Tallman,
Berger,	Geitz,	Pechan,	Tarr,
Blaas,	Hare,	Peelor,	Taylor,
Chapman,	Homsher,	Robinson,	Wade,

Crowe,	Kephart,	Rosenfeld,	Wagner,
Dent,	Leader,	Ruth,	Walker,
Diehm,	Letzler,	Scarlett,	Watkins,
Doehla,	Lord,	Snowden,	Watson,
Donlan,	Mahany,	Stevenson,	Wolfe,
Farrell,	McPherson, Jr.,	Stiefel,	Wood, L. H.,
			Wood, T. N.,

NAYS—9

Barrett,	Holland,	Mallery,	Toole,
DiSilvestro,	Lane,	Neff,	Yosko,
Haluska,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 621 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 621, which was returned from the House with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,  
The Senate resumed the consideration of Senate Bill No. 621, entitled:

An Act to amend the title and the act, approved the eighth day of July, one thousand nine hundred forty-seven (P. L. 1433), entitled "An act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools; providing for contractual liability; conferring powers and imposing duties on the State Council of Education; and prescribing penalties," by transferring the administration of this act to the State Board of Private Correspondence Schools; changing definitions, bringing eleemosynary institutions within the provisions of the act, eliminating the advisory committee; regulating the advertising and soliciting for students by private correspondence schools; requiring the registration of agents of such schools where their home office is outside of this Commonwealth and providing for a separate non-transferable license for each school.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 13, lines 5 to 7, by striking out after the left-faced bracket in line 5, and before the word "The" in line 7, the following: "Under the provisions of this act the Board may refuse to issue a license for cause. Any license issued under the provision of this act may be revoked or suspended by the Board for cause" and inserting in lieu thereof, the following: "Under the provisions of this act the Board shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the Board shall find

(1) That the licensee has violated any of the provisions of this act or any of the rules and regulations of the Board

(2) That the applicant or licensee has knowingly presented to the Board false incomplete or misleading information relating to licensure

(3) That the applicant or licensee has pleaded guilty entered a plea of nolo contendere or has been found guilty of a crime involving moral turpitude by a Judge or Jury in any State or Federal Court

(4) That the applicant licensee or any employee in a school which is amenable to this act is addicted to the use

of morphine cocaine or other drugs having a similar effect or is or shall become mentally incompetent

(5) That the applicant or licensee has failed or refused to permit the Board and/or its representatives to inspect the school or classes or has failed or refused to make available to the Board at any time when requested to do so full information pertaining to any or all items of information contained in an application for a license or pertaining to the program of instruction and matters relating thereto

(6) That the applicant has failed or refused to submit to the Board an application for license in the manner and form prescribed by the Board

(7) That a licensed school has failed or refused to display the current approved license where it may be inspected by students visitors and designated officials of the Board

(8) That a licensed agent has failed or refused to display or produce his license when requested to do so by prospective students or designated officials of the Board

(9) That the licensee has perpetrated or committed fraud or deceit in advertising the school or in presenting to prospective students written or oral information relating to the school to employment opportunities or to opportunities for enrollment in institutions of higher learning

(10) That the licensee is employing teachers supervisors or administrators who have not been approved by the Board or agents who have not been licensed by the Board

(11) That the licensee has failed to provide and maintain adequate equipment materials or supplies

(12) That the licensee has failed to provide and maintain adequate standards of instruction including correction service or an adequate and qualified administrative supervisory or teaching staff

(13) That the applicant or licensee is unable to provide and maintain financial resources in sufficient amount to maintain adequately and effectively the instructional service it proposes and advertises

(14) That the licensee has offered training or instruction in courses or subjects which have not been approved and authorized by the Board

(15) That a licensed agent has solicited prospective students to enroll in a school which has not been approved by the Board and which is not listed on the license issued by the Board".

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 621

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 621.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,

Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 622 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 622, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 622, entitled:

An Act to amend the act, approved the eighth day of July, one thousand nine hundred forty-seven (P. L. 1428), entitled "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof; conferring powers and imposing duties upon the State Board of Private Business Schools; and prescribing penalties," by bringing certain non-profit and all eleemosynary institutions within the provisions of the act; regulating the advertising and soliciting for students; including teachers within the definition of the term "agent;" requiring agreement to file surety bond when requested; restricting schools and agents to those subjects specified in their applications and providing for a separate non-transferable license for each school.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 10, line 8, by inserting after the word "with" and before the word "standards," the following: "such;" Amend Section 1, page 10, line 9, by inserting after the word "Pennsylvania" and before the word "applicable," the following: "or any of its political subdivisions as are;" Amend Section 1, page 13, lines 10 to 12, by striking out after the numeral "9" in line 10, and before the word "The" in line 12, the following: "Under the provisions of this act the Board may refuse to issue a license for cause Any license issued under the provisions of this act may be revoked or suspended by the Board for cause," and inserting in lieu thereof, the following: "Under the provisions of this act the Board shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the Board shall find (1) That the licensee has violated any of the provisions of this act or any of the rules and regulations of the Board (2) That the applicant or licensee has knowingly presented to the Board false incomplete or misleading information relating to licensure (3) That the applicant or licensee has pleaded guilty entered a plea of nolo contendere or has been found guilty of a crime involving moral turpitude by a judge or jury in any state or federal court (4) That the applicant licensee or any employee in a school which is amenable to this act is addicted to the use of morphine cocaine or other drugs having a similar effect or is or shall become mentally incompetent (5) That the applicant or licensee has failed or refused to permit

he Board and/or its representatives to inspect the school or classes or has failed or refused to make available to the Board at any time when requested to do so full information pertaining to any or all items of information contained in an application for license or pertaining to the program of instruction and matters relating thereto (6) That the applicant has failed or refused to submit to the Board an application for license in the manner and form prescribed by the Board (7) That a licensed school has failed or refused to display the current approved license where it may be inspected by students visitors and designated officials of the Board (8) That a licensed agent has failed or refused to display or produce his license when requested to do so by prospective students or designated officials of the Board (9) That the applicant or licensee has failed to provide or maintain premises equipment or conditions which are adequate safe and sanitary in accordance with such standards of the Commonwealth of Pennsylvania or any of its political subdivisions as are applicable to such premises and equipment (10) That the license has perpetrated or committed fraud or deceit in advertising the school or classes or in presenting to prospective students written or oral information relating to the school or classes to employment opportunities or to opportunities for enrollment in institutions of higher learning (11) That the licensee is employing teachers supervisors or administrators who have not been approved by the Board or agents who have not been licensed by the Board (12) That the licensee has failed to provide and maintain adequate premises equipment materials or supplies or has exceeded the maximum enrollment for which the school or class was licensed (13) That the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative supervisory or teaching staff (14) That the applicant or licensee is unable to provide and maintain financial resources in sufficient amount to equip and maintain adequately and effectively the school or classes

(15) That the licensee has moved the school into new premises or facilities or has altered or made additions to premises or facilities before notifying the Board of such change and before receiving from the Board approval for the new premises or facilities alterations or additions (16) That the licensee has offered training or instruction in courses or subjects which have not been approved and authorized by the board (17) That a licensed agent has solicited prospective students to enroll in a school which has not been approved by the Board and which is not listed on the license issued by the Board."

On the question,

Will the Senate concur in the same?

**SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 622**

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 622.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**YEAS—50**

Barr,                      Geltz,                      Meade,                      Tarr,

Barrett,  
Berger,  
Blass,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Neff,  
Pechan,  
Peelor,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 623 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 623, which was returned from the House with amendments.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 623, entitled:

An Act to amend the title and the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 951), entitled "An act defining and providing for the licensing and regulation of private schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties," by transferring the administrative duties to the State Board of Private Academic Schools; changing definitions; bringing eleemosynary institutions within the provisions of this act; eliminating the advisory committee; regulating the advertising and soliciting for students and restricting agents in connection therewith; requiring agreement of schools to file surety bond when requested; and providing for a separate non-transferable license for each school.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 9, line 17, by inserting after the word "with" and before the word "standards", the following: "such"; Amend Section 1, page 9, line 18, by inserting after the word "Pennsylvania" and before the word "applicable," the following: "or any of its political subdivisions as are"; Amend Section 1, page 10, lines 1 and 2, by striking out after the numeral "12" in line 1, and before the word "Any" in line 2, the following: "under the provisions of this act the Board may refuse to issue a license for cause"; Amend Section 1, page 10, line 2, by inserting a right-faced bracket before the word "Any"; Amend Section 1, page 10, line 3, by striking out the brackets around the word "department"; Amend Section 1, page 10, line 3, by striking out after the left-faced bracket and before the word "for", the following: "board"; Amend Section 1, page 10, line 10, by inserting after the left-faced bracket and before the word "The", the following: "Under the provisions of this act the board shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the board shall find (1) that the licensee has violated any of the provisions of this act or any of the rules and regulations of the board (2) that the applicant or licensee has knowingly

presented to the board false incomplete or misleading information relating to licensure (3) that the applicant or licensee has pleaded guilty entered a plea of nolo contendere or has been found guilty of a crime involving moral turpitude by a judge or jury in any state or federal court (4) that the applicant licensee or any employe in a school which is amenable to this act is addicted to the use of morphine cocaine or other drugs having a similar effect or is or shall become mentally incompetent (5) that the applicant or licensee has failed or refused to permit the board and/or its representatives to inspect the school or classes or has failed or refused to make available to the board at any time when requested to do so full information pertaining to any or all items of information contained in an application for license or pertaining to the program of instruction and matters relating thereto (6) that the applicant has failed or refused to submit to the board an application for license in the manner and form prescribed by the board (7) that licensed school has failed or refused to display the current approved license where it may be inspected by students visitors and designated officials of the board (8) that a licensed agent has failed or refused to display or produce his license when requested to do so by prospective students or designated officials of the board (9) that the applicant or licensee has failed to provide or maintain premises equipment or conditions which are adequate safe and sanitary in accordance with such standards of the Commonwealth of Pennsylvania or any of its political subdivisions as are applicable to such premises and equipment (10) that the licensee has perpetrated or committed fraud or deceit in advertising the school or classes or in presenting to prospective students written or oral information relating to the school or classes to employment opportunities or to opportunities for enrollment in institutions of higher learning (11) that the licensee is employing teachers supervisors or administrators who have not been approved by the Board or agents who have not been licensed by the Board (12) that the licensee has failed to provide and maintain adequate premises equipment materials or supplies or has exceeded the maximum enrollment for which the school or class was license (13) that the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative supervisory or teaching staff (14) that the applicant or licensee is unable to provide and maintain financial resources in sufficient amount to equip and maintain adequately and effectively the school or classes (15) that the licensee has moved the school into new premises or facilities or has altered or made additions to premises or facilities before notifying the board of such change and before receiving from the board approval for the new premises or facilities alterations or additions (16) that the licensee has offered training or instruction in courses or subjects which have not been approved and authorized by the board (17) that a licensed agent has solicited prospective students to enroll in a school which has not been approved by the board and which is not listed on the license issued by the Board."

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENT MADE BY  
THE HOUSE TO SENATE BILL No. 623

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 623.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 624 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 624, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order.

The Senate resumed the consideration of Senate Bill No. 624, entitled:

An Act to further amend section two hundred two, and to add sections four hundred fifty-five, four hundred fifty-six, four hundred fifty-seven and four hundred fifty-eight to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof; including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by adding State Boards of Private Academic, Private Business, Private Trade and Private Correspondence Schools, to the Department of Public Instruction as administrative departmental boards, and to provide for the appointment of the members to said boards.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 6, line 16, by striking out after the word "of," the following: "five (5) or more" and inserting in lieu thereof, the following: "seven (7)"; Amend Section 2, page 6 and 7, by striking out after the word "field" in line 19 of page 6, and before the word "Two" in line 4 of page 7, the following: "one (1) representative of the Pennsylvania Department of District Superintendents and if deemed necessary by the Superintendent of Public Instruction in order to assist the Board in the discharge of its responsibilities qualified representatives of other related fields"; Amend Section 2, page 7, line 6, by striking out before the word "members," the following: "one or more" and inserting in lieu thereof, the following: "three"; Amend Section 2, page 7, by inserting between lines 7 and 8, the following: "four members of the board shall constitute a quorum and the board shall annually select a chairman from among its number the secretary of the board shall be the chief of private academic school registration whose salary shall be determined by the Superintendent of Public Instruction

The members of the board shall be paid fifteen dollars per diem and necessary expenses when actively engaged in the performance of their official duties

The meetings of the board shall be held and the proceedings of the meetings and the records of the board shall be maintained in the city of Harrisburg Dauphin county Pennsylvania

All certificates and other official documents of the board shall be issued by the Department of Public Instruction";

Amend Section 2, page 7, line 9, by striking out after the word "of," the following: "five or more" and inserting in lieu thereof, the following: "seven (7)"; Amend Section 2, page 7, line 11, by striking out after the word "include" and before the word "or," the following: "three (3)" and inserting in lieu thereof, the following: "four (4)"; Amend Section 2, page 7, lines 14 to 19, by striking out after the word "years" in line 14, and before the word "two" in line 19, the following: "one (1) representative of the Pennsylvania Department of Secondary School Principals one (1) representative of the Pennsylvania Department of District Superintendent and if deemed necessary by the Superintendent of Public Instruction in order to assist the Board in the discharge of its responsibilities representatives of other related fields"; Amend Section 2, page 8, line 1, by striking out after the word "and" and before the word "members," the following: "one or more" and inserting in lieu thereof, the following: "three"; Amend Section 2, page 8, by inserting between lines 3 and 4, the following: "four members of the board shall constitute a quorum and the board shall annually select a chairman from among its number The secretary of the board shall be the chief of private business school registration whose salary shall be determined by the Superintendent of Public Instruction

The members of the board shall be paid fifteen dollars per diem and necessary expenses when actively engaged in the performance of their official duties

The meetings of the board shall be held and the proceedings of the meetings and the records of the board shall be maintained in the city of Harrisburg Dauphin County Pennsylvania

All certificates and other official documents of the board shall be issued by the Department of Public Instruction";

Amend Section 2, page 8, line 5, by striking out after

the word "of," and before the word "members," the following: "five or more" and inserting in lieu thereof, the following: "seven (7)"; Amend Section 2, page 8, lines 7 and 8, by striking out after the word "include" in line 7, and before the word "or" in line 8, the following: "one (1) representative of general industry one (1) representative of labor and three (3)" and inserting in lieu thereof, the following: "five (5)"; Amend Section 2, page 8, lines 9 and 10, by striking out after the word "field" in line 9, and before the word "Two" in line 10, the following: "or in the fields of general business"; Amend Section 2, page 8, line 11, by striking out after the word "and" and before the word "members," the following: "one or more" and inserting in lieu thereof, the following: "three (3)"; Amend Section 2, page 8, by inserting between lines 13 and 14, the following: "four members of the board shall constitute a quorum and the board shall annually select a chairman from among its number the secretary of the board shall be the chief of private trade school registration whose salary shall be determined by the superintendent of Public Instruction

The members of the board shall be paid fifteen dollars per diem and necessary expenses when actively engaged in the performance of their official duties

The meetings of the board shall be held and the proceedings of the meetings and the records of the board shall be maintained in the city of Harrisburg Dauphin County Pennsylvania

All certificates and other official documents of the board shall be issued by the Department of Public Instruction";

Amend Section 2, page 8, line 16, by striking out before the word "members," the following: "five or more" and inserting in lieu thereof, the following: "seven (7)"; Amend Section 2, pages 8 and 9, by striking out after the part-word "struction" in line 17 on page 8, and before the word "Two" in line 3 on page 9, the following: "The membership of the Board shall include one (1) or more persons active in the private correspondence instruction field one (1) representative of extension education one (1) representative of secondary education (1) representative of vocational education and if deemed necessary by the Superintendent of Public Instruction in order to assist the Board in the discharge of its responsibilities qualified representatives of other related fields"; Amend Section 2, page 9, line 4, by striking out after the word "and," the following: "one or more" and inserting in lieu thereof, the following: "three (3)"; Amend Section 2, page 9, by inserting between lines 6 and 7, the following: "four members of the board shall constitute a quorum and the board shall annually select a chairman from among its number The secretary of the board shall be the chief of private correspondence school registration whose salary shall be determined by the Superintendent of Public Instruction

The members of the board shall be paid fifteen dollars per diem and necessary expenses when actively engaged in the performance of their official duties.

The meetings of the board shall be held and the proceedings of the meetings and the records of the board shall be maintained in the city of Harrisburg Dauphin County Pennsylvania

All certificates and other official documents of the board shall be issued by the Department of Public Instruction."

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 624

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 624.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 625 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 625, which was returned from the House with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 625, entitled:

An Act to amend the title and sections one, two, three, four, six, seven and ten of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 401), entitled "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board for Vocational Education; and prescribing penalties," by transferring the administration of this act to the State Board of Private Trade Schools, bringing eleemosynary institutions within the provisions of the act; eliminating the advisory committee; regulating the advertising and soliciting for students by private trade schools; changing provisions as to licenses and the holders thereof, and increasing the fees for such licenses, and providing for a separate non-transferable license for each school.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 9, lines 7 and 8, by striking out after the left-faced bracket in line 7, and before the word "Any," in line 8, the following: "Under the provisions of this act the board may refuse to issue a license for cause" and inserting in lieu thereof, the following: "under the provisions of this act the board shall have the power to

refuse to issue and the power to suspend or revoke a license in any case where the board shall find

(1) That the licensee has violated any of the provisions of this act or any of the rules and regulations of the board

(2) That the applicant or licensee has knowingly presented to the board false incomplete or misleading information relating to licensure

(3) That the applicant or licensee has pleaded guilty entered a plea of nolo contendere or has been found guilty of a crime involving moral turpitude by a judge or jury in any state or federal court

(4) That the applicant licensee or any employee in a school which is amenable to this act is addicted to the use of morphine cocaine or other drugs having a similar effect or is or shall become mentally incompetent

(5) That the applicant or licensee has failed or refused to permit the board and/or its representatives to inspect the school or classes or has failed or refused to make available to the board at any time when requested to do so full information pertaining to any or all items of information contained in an application for license or pertaining to the program of instruction and matters relating thereto

(6) That the applicant has failed or refused to submit to the board an application for license in the manner and form prescribed by the board

(7) That a licensed school has failed or refused to display the current approved license where it may be inspected by students visitors and designated officials of the board

(8) That a licensed agent has failed or refused to display or produce his license when requested to do so by prospective students or designated officials of the board

(9) That the applicant or licensee has failed to provide or maintain premises equipment or conditions which are adequate safe and sanitary in accordance with such standards of the Commonwealth of Pennsylvania or any of its political subdivisions as are applicable to such premises and equipment

(10) That the licensee has perpetrated or committed fraud or deceit in advertising the school or classes or in presenting to prospective students written or oral information relating to the school or classes to employment opportunities or to opportunities for enrollment in institutions or higher learning

(11) That the licensee is employing teachers supervisors or administrators who have not been approved by the board or agents who have not been licensed by the board

(12) That the licensee has failed to provide and maintain adequate premises equipment materials or supplies or has exceeded the maximum enrollment for which the school or class was licensed

(13) That the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative supervisory or teaching staff

(14) That the applicant or licensee is unable to provide and maintain financial resources in sufficient amount to equip and maintain adequately and effectively the school or classes

(15) That the licensee has moved the school into new premises or facilities or has altered or made additions to premises or facilities before notifying the board of such

change and before receiving from the board approval for the new premises or facilities alterations or additions

(16) That the licensee has offered training or instruction in courses or subjects which have not been approved and authorized by the board

(17) That a licensed agent has solicited prospective students to enroll in a school which has not been approved by the board and which is not listed on the license issued by the board."

On the question,  
Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 625

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 625.

Mr. HARE. Mr. President, I second the motion.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50			
Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0  
  
A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 629 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 629, which was returned from the House with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,  
The Senate resumed the consideration of Senate Bill No. 629, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employee" and "Original member" to include persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 12, line 16, by striking out after the word "the" and before the part-word "effec-" the right-faced bracket; Amend Section 1, page 12, lines 17 and 18, by striking out after the word "amendment" in line 17, and before the word "and" in line 18, the following: "first day of September one thousand nine hundred forty-seven;" Amend Section 1, page 13, line 5, by striking out after the word "the" and before the word "effective," the right-faced bracket; Amend Section 1, page 13, lines 5 and 6, by striking out after the word "amendment," in line 5, and before the word "is" in line 6, the following: "first day of September one thousand nine hundred forty-seven."

On the question,  
Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 629

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 629.

Mr. HARE. Mr. President, I second the motion.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50			
Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 645 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 645, which was returned from the House with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,  
The Senate resumed the consideration of Senate Bill No. 645, entitled:

An Act requiring companies and organizations subject to examination by the Insurance Commissioner to maintain uniform classifications of accounts and records; make uniform reports; and prescribing penalties.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 4, page 5, line 5, by inserting after the word "concerned" and before the word "any," the following: "Classifications of accounts and records or reports shall be prescribed by the insurance commissioner under the provisions of this act only upon notice and after hearing to all parties affected thereby and rules and regulations relating thereto shall be promulgated by the insurance commissioner at least six months before the effective date thereof."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 645

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 645.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett.	Haluska,	Neff,	Taylor,
Berger.	Hare,	Pechan,	Toole,
Blass.	Holland.	Peel.	Wade,
Chapman.	Homsher.	Robinson,	Wagner,
Crowe.	Kephart.	Rosenfeld,	Walker,
Dent.	Lane,	Ruth,	Watkins,
Diehm.	Leader,	Scarlett,	Watson,
DiSilvestro.	Letzler,	Snowden,	Wolfe,
Doehla.	Lord,	Stevenson,	Wood, L. H.,
Donlan.	Mahany,	Stiefel,	Wood, T. N.,
Farrell.	Mallery,	Tallman,	Yosko,
Frazier.	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 716 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 716, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order.

The Senate resumed the consideration of Senate Bill No. 716, entitled:

An Act creating a Highway Planning Commission to develop a long range highway program for the Commonwealth and to make report thereon; defining the powers and duties of the commission; and making an appropriation out of the Motor License Fund.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 4, page 3, line 11, by inserting before the word "farm-," the following: "urban main highways and."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 716

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 716.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Bairrett.	Haluska,	Neff,	Taylor,
Berger.	Hare,	Pechan,	Toole,
Blass.	Holland.	Peel.	Wade,
Chapman.	Homsher.	Robinson,	Wagner,
Crowe.	Kephart.	Rosenfeld,	Walker,
Dent.	Lane,	Ruth,	Watkins,
Diehm.	Leader,	Scarlett,	Watson,
DiSilvestro.	Letzler,	Snowden,	Wolfe,
Doehla.	Lord,	Stevenson,	Wood, L. H.,
Donlan.	Mahany,	Stiefel,	Wood, T. N.,
Farrell.	Mallery.	Tallman,	Yosko,
Frazier.	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 725 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 725, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 725, entitled :

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction

alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots; and eliminating expired provisions.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the Title, page 4, line 4 of the Title, by inserting after the word "woodlots" and before the word "and", the following: "broadening exemption for hauling agricultural products or farm supplies".

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 725

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 725.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 729 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 729, which was returned from the House with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 729, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duties of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation by towing of wrecked or disabled motor vehicles; and eliminating expired provisions.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 8, line 12, by striking out before the word "transportation", the following: "(g)" and inserting in lieu thereof, the following: "(h)"; Amend Section 1, page 10, line 6, by striking out after the word "or" and before the word "transportation", the following: "(g)" and inserting in lieu thereof, the following: "(h)";

On the question,

Will the Senate concur in the same?

# SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 729

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 729.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

# SENATE BILL No. 795 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 795, which was returned from the House with amendments.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 795, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Forests and Waters, to acquire two tracts of land in Somerset and Bedford Counties, to be used as a State park under the jurisdiction of the Department of Forests and Waters, and devoted to hunting, fishing and recreational purposes; and making an appropriation.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 4 of the Title, by striking out after the word "State" and before the word "under", the following: "Park" and inserting in lieu thereof, the following: "Forest"; Amend Section 1, page 2, line 5, by inserting after the word "Paint" and before the word "and", the following: "Shade Allegheny"; Amend Section 1, page 2, line 5, by inserting after the word "and" and before the word "Saint", the following: "West"; Amend Section 2, page 2, line 13, by striking out before the word "devoted", the following: "be used as a state park" and inserting in lieu thereof, the following: "Become a part of the State's Forests".

On the question,

Will the Senate concur in the same?

# SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 795

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 795.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

# SENATE BILL No. 796 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 796, which was returned from the House with amendments.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 796, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," by fixing the compensation and mileage of county auditors in such counties.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, lines 1 to 4 of the Title, by striking out before the word "the" in line 4, the following: "To amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by fixing and inserting in lieu thereof, the following: "fixing"; Amend the Title, page 1, line 5 of the title, by striking out after the word "in" and before the word "counties", the following: "such"; Amend the Title, page 1, line 5 of the title, by inserting after the word "counties", the following: "of the sixth and seventh class"; Amend Section 1, page 1, lines 1 and 2, by striking out after the numeral "1" in line 1, all of said lines; Amend Section 1, page 2, by striking out line 1 to 10, inclusive and inserting in lieu thereof, the following: "the county

auditors in counties of the sixth and seventh class shall receive ten dollars (\$10) for each day necessarily employed in the discharge of their duties together with ten cents per mile circular from and to their homes once each and every day so employed.”

Amend Section 2, page 2, line 14, by inserting after the word “absolutely”, the following: “the act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled “An act regulating the compensation of county auditors within this Commonwealth” is hereby repealed insofar as it is inconsistent with the provisions of this act”.

On the question,  
Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE  
BY THE HOUSE TO SENATE BILL No. 796

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 796.

Mr. HARE. Mr. President, I second the motion.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50			
Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted “aye” the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 860 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 860, which was returned from the House with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,  
The Senate resumed the consideration of Senate Bill No. 860, entitled:

An Act to amend section three of the act, approved the twenty-seventh day of June one, thousand nine hundred thirty-nine (P. L. 1199), entitled “An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employees; fixing the salaries of members of the board, assessors and assistant assessors, and providing for the payment of salaries and

expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making assessments, of the revision and notice of assessments and of appeals therefrom; prescribing the records of assessments; and repealing existing laws,” by further prescribing the terms of the officers of the board of revision of taxes.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, lines 8 and 9, by striking out after the left-faced bracket in line 8, and before the word “to” in line 9, the following: “when necessary” and inserting in lieu thereof, the following: “within fifty days after this amending act becomes effective”; Amend Section 1, page 3, line 10, by striking out after the word “members” and before the word “a” the following: “Whenever” and inserting in lieu thereof, the following: “and thereafter whenever”; Amend Section 1, page 3, line 11, by striking out after the word “thereupon” and before the word “select”, the following: “promptly” and inserting in lieu thereof, the following: “meet and”; Amend Section 1, page 3, line 12, by striking out after the word “board” and before the word “hereafter”, the following: “heretofore or”.

On the question,  
Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY  
THE HOUSE TO SENATE BILL No. 860

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 860.

Mr. HARE. Mr. President, I second the motion.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50			
Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted “aye” the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 894 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 894, which was returned from the House with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,  
The Senate resumed the consideration of Senate Bill No. 894, entitled:

An Act to amend section seven hundred seventy-three of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by permitting tapping of water lines of school districts under certain circumstances.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 6, by inserting after the word "and" and before the word "in", the following: "use any highway or public or private property which it deems necessary."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 894

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 894.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 939 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 939, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 939, entitled:

An Act making bonds of school districts valid and binding obligations of such districts despite failure to advertise election in a newspaper of general circulation.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by inserting after the word "shall" and before the word "have," the following: "heretofore."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 939

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 939.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 956 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 956, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 956, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animal upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring power and imposing duties upon the Department of Revenue the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fine forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further providing for the uniformity control and erection of traffic signs, signals and markings.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 9, by striking out after the left-faced bracket and before the word "adopted," the following: "of standards," and inserting in lieu thereof, the following: "manual on uniform traffic control devices;" Amend Section 1, page 4, lines 9 and 10, by striking out after the word "Committee" in line 9, and before the word "of" in line 10, the following: "on Uniform Traffic Control Devices comprised;" Amend Section 1, page 4, line 13, by inserting after the word "forty-eight" and before the word "Local," the following: "and amendments thereto;" Amend Section 1, page 4, line 19, by inserting after the word "Whenever" and before the word "physical," the following: "[ for the purposes of achieving desirable standards of uniformity wherever;" Amend Section 1, page 5, line 4, by striking out the left-faced bracket after the word "highway;" Amend Section 1, page 5, line 7, by inserting after the word "area," the following: "Whenever the Secretary of Highways shall determine that such location is not effective for the purposes of safety or visibility he may within his discretion authorize any other type of installation as provided in the manual of uniform traffic control devices herein referred to."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 956

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 956.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DISilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	McPherson,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 959 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 959, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 959, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by prohibiting soliciting or accepting gifts or donations from teachers or supervisors by school directors; authorizing withholding of State appropriations; clarifying the term "professional employee;" changing provisions for minimum salaries of part-time teachers, supervisors and principals and State reimbursement therefor; and providing for part-time and evening vocational classes, schools, departments and programs, attendance thereat in other districts, and reimbursement therefor between school districts.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 6, line 20, by striking out after the word "Vocational," the following: "Adult"; Amend Section 2, page 7, line 3, by striking out after the word "vocational," the following: "adult"; Amend Section 2, page 7, line 7, by striking out after the word "vocational" and before the word "extension," the following: "adult"; Amend Section 2, page 7, line 9, by striking out after the word "and" and before the word "per," the following: "seventy-five cents (\$2.75)" and inserting in lieu thereof, the following: "fifty cents (\$2.50)"; Amend Section 3, page 8, line 4, by striking out after the word "vocational" and before the word "extension," the following: "adult" and inserting in lieu thereof, the following: "or other"; Amend Section 3, page 8, line 8, by striking out after the word "Vocational" and before the word "Extension," the following: "Adult" and inserting in lieu thereof, following: "or other"; Amend Section 3, page 8, line 11, by striking out after the word "Vocational" and before the word "Extension," the following: "Adult"; and inserting in lieu thereof, the following: "or other"; Amend Section 3, page 8, line 16, by striking out after the word "vocational" and before the word "extension," the following: "adult" and inserting in lieu thereof, the following: "or other"; Amend Section 3, page 8, line 18, by striking out before the word "extention," the following: "adult" and inserting in lieu thereof, the following: "or other"; Amend Section 3, page 8, line 19, by striking out after the word "vocational" and before the word "extension," the following: "adult" and inserting in lieu thereof, the following: "or other"; Amend Section 4, page 9, line 14, by striking out after the word "vocational" and before the word "extension," the following: "adult"; and inserting in lieu thereof, the following: "or other"; Amend Section 4, page 9, line 15, by striking out before the word "extension," the following: "adult"; Amend Section 4, page 9, line 17, by striking out before the word "extension," the following: "adult" and inserting in lieu thereof, the following: "or other"; Amend Section 4, page 10, line 2, by striking out after the part-word "tional" and before the word "extension," the following: "adult" and inserting in lieu thereof, the following: "or other"; Amend Section 4, page 10, line 7, by striking out after the word "an" and before the word "extension," the following: "adult"; Amend Section 4, page 10, line 11, by striking out after the word "an" and before the word "extension," the following: "adult"; Amend Section 4, page 10, line 13, by striking out after the word "vocational," the following: "adult" and inserting in lieu thereof, the following: "or other"; Amend Section 4, page 11, line 1,

by striking out after the word "an" and before the word "extension," the following: "adult."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 959

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 959.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

##### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL NO. 984 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 984, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 984, entitled:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft and prescribing penalties.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by inserting after the word "Whoever" and before the word "erects," the following: "hereafter"; Amend Section 1, page 2, line 2, by inserting after the word "field" and before the word "licensed," the following: "commercially."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 984

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 984.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

##### YEAS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL NO. 987 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 987, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 987, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Cheyney Training School for teachers to acquire a tract of land in Delaware County for the use of Cheyney Training School for teachers; and making an appropriation therefor.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 7, by striking out after the word "containing" and before the word "acres", the following: "16,408" and inserting in lieu thereof, the following "16.408".

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO SENATE BILL NO. 987

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 987.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,

Donlan,  
Farrell,  
Frazier,

Mahany,  
Mallery,  
McPherson, Jr.,

Stiefel,  
Tallman,

Wood, T. W.,  
Yonke,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

HOUSE DISCHARGES COMMITTEE OF CONFERENCE  
ON HOUSE BILL No. 780

The Clerk of the House of Representatives being introduced, informed the Senate that the House has discharged the House Committee of Conference on House Bill No. 780, entitled:

An Act to further amend sections seven and eighteen of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "Female Labor Law," by deleting the wartime provision increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provision.

HOUSE RECEDES FROM ITS NON-CONCURRENCE IN  
AMENDMENTS MADE BY THE SENATE TO HOUSE  
BILL No. 780

He also informed the Senate that the House has receded from its non-concurrence in amendments made by the Senate to House Bill No. 780, entitled:

An Act to further amend sections seven and eighteen of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "Female Labor Law," by deleting the wartime provision increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provision.

and that the House has concurred in the amendments.

COMMITTEE OF CONFERENCE ON HOUSE BILL No.  
780 DISCHARGED

Mr. WALKER. Mr. President, I move that the Committee of Conference appointed on the part of the Senate on House Bill No. 780, be discharged from further consideration of the bill.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CON-  
CURRED IN BY THE SENATE TO SENATE  
BILL No. 585

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 585, entitled:

An Act authorizing certain officers in cities of the first and second class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class in cities of the second class and in school districts of the first class under certain conditions

HOUSE INSISTS UPON ITS AMENDMENTS NON-CON-  
CURRED IN BY THE SENATE TO SENATE  
BILL No. 286

He also presented communication from the House of

Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 286, entitled:

An Act to further amend the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," eliminating certain obsolete provisions thereof clarifying certain definitions and terms, changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CON-  
CURRED IN BY THE SENATE TO SENATE  
BILL No. 796

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 796, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven, (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," by fixing the compensation and mileage of county auditors in such counties.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CON-  
CURRED IN BY THE SENATE TO SENATE  
BILL No. 105

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 105, entitled:

An Act to further amend sections two hundred five and two hundred nine and to amend section four hundred forty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by changing and fixing the salaries of certain officers of the Commonwealth.

## SENATE BILL No. 585 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 585, entitled:

An Act authorizing certain officers in cities of the first and second class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class in cities of the second class and in school districts of the first class under certain conditions

and move a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED  
ON SENATE BILL No. 585

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. FARRELL, KEPHART and DiSILVESTRO, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 585.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 286 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 286, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," eliminating certain obsolete provisions thereof clarifying certain definitions and terms, changing the rights and obligations of employers and employees thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

and move a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON  
SENATE BILL No. 286

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. LLOYD H. WOOD, GELTZ and DENT, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 286.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 796 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 796, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," by fixing the compensation and mileage of county auditors in such counties.

and move a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED  
ON SENATE BILL No. 796

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WADE, McPHERSON and RUTH, as a Committee on Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 796.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 105 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 105, entitled:

An Act to further amend sections two hundred five and two hundred nine and to amend section four hundred forty-two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by changing and fixing the salaries of certain officers of the Commonwealth.

and move a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON  
SENATE BILL No. 105

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. MALLERY, KEPHART and ROSENFELD, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 105.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

SENATE RESOLUTION DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO CONTINUE ITS SURVEY INVESTIGATION AND CONSIDERATION OF CRIMINAL PROCEDURE LAWS

Mr. LORD, JR. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LORD, JR., offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 28, 1949.

Whereas, the laws of criminal procedure of the Commonwealth to better serve the efficient administration of justice are in need of study and codification, therefore be it

Resolved, that the Joint State Government Commission be directed to continue its survey, investigation and consideration of all the laws of the Commonwealth relating to criminal procedure and to completely revise and restate such laws into codified form and to report its findings and conclusions to the next regular session of the General Assembly with a bill or bills embodying a codification of such laws to be introduced at the next regular session of the General Assembly, and be it further

Resolved, that the Legislative Reference Bureau shall prepare the necessary drafts of all bills agreed on by the commission and shall furnish such advice and assistance as it may be called on to furnish.

HOUSE BILL NO. 460 CALLED UP

Mr. WALKER, Mr. President, I call up from the Third Reading Calendar House Bill No. 460, which was passed over in its order temporarily.

BILL ON THIRD READING AMENDED

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 460, as follows:

An Act to reenact amend and revise the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidation and changing the law relating thereto"

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The General Assembly of the Commonwealth of Penn- sylvania hereby enacts as follows	
Section 1 Article I and sections 101 and 110 inclusive of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amend- ing revising consolidating and changing the law relating thereto" are hereby reenacted revised and amended to read as follows	

Section 1 Be it enacted &c That the laws relating to townships of the first class are hereby reenacted amended revised consolidated and changed as follows

### Article I

#### Preliminary Provisions

Section 101 Short Title Effective Date This act shall be known and may be cited as "The First Class Township [Law] Code [This act shall take effect on the first day of July one thousand nine hundred and thirty-one] This reenactment revision amendment and consolidation of the laws relating to townships of the first class shall become effective the first day of January 1950

Section 102 Definition [The word "township" or "townships" as used in this act shall mean a township of the first class unless the context indicates otherwise] The following words terms and phrases as used in this act shall have the meanings herein assigned to them unless the context clearly indicates otherwise

(a) "Township" a township of the first class  
(b) "Street" includes a street road lane alley court or public square

(c) "Highway" or "State highway" a road or highway of the State highway system

Section 103 Excluded Provisions This act does not include any provisions and shall not be construed to repeal any act relating to

(a) [The procedure for] The assessment and valuation of property and persons for the purposes of taxation and collection of taxes and the collection of municipal [and tax] claims by liens

(b) The method of incurring or increasing bonded indebtedness

(c) Election officers and the general conduct of elections

[(d) Poor district]

[(e)] (d) Public schools and school districts

[(f)] (e) Constables

[(g)] (f) Justices of the peace

[(h)] (g) State roads [State-aid roads] and private roads

[(i)] (h) Validation of elections bonds ordinances and acts of corporate officers

[(j)] (i) Free non-sectarian libraries

(j) Crimes and offenses provided for in the Penal Code

Section 104 [Saving Clauses] Construction of Act Generally The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded nor affect the existence or class of any township heretofore created The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws All ordinances regulation and rules made pursuant to any act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed Any person holding office under any act of Assembly repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

Section 105 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 106 Construction of References Whenever in this act reference is made to any act by title such reference shall also apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

Section 107 How Act Applies This act shall apply to

all townships of the first class within the Commonwealth as now existing or hereinafter created

Section 108 Saving Clauses Where Class of Townships Changed Whenever any township of the second class is designated a township of the first class or whenever any township of the first class is reestablished as a township of the second class [or whenever any township is divided] all liabilities incurred rights accrued or vested obligations issued or contracted and all suits and prosecutions pending or to be committed prior to such change of class [or division] and all ordinances instituted to enforce any right or penalty accrued or punish any offense resolutions rules and regulations shall continue with the same force and effect as if no such change [or division] had been made

Section 109 Exception as to Taxation This act does not provide [a complete system] for the assessment and valuation of property and persons for the purposes of taxation or the collection of township taxes [but the taxation provisions herein contained shall be construed as supplementary to the general local taxation laws All acts and parts of acts relating to taxation in townships of the first class not inconsistent with this act in force prior to the passage of this act which are not reenacted or specifically repealed by this act shall remain in force as to such townships in the same manner as prior to the passage of this act]

Section 110 Legal Advertising Whenever under the provisions of this act notice is required to be published in one newspaper such publication shall be made in a newspaper of general circulation as defined by the Newspaper Advertising Act approved May sixteenth one thousand nine hundred and twenty-nine (P. L. 1784) printed in the township if there is such a newspaper and if not then in a newspaper circulating generally in such township If such notice is required to be published in more than one newspaper it shall be published in at least one newspaper of general circulation defined as aforesaid printed if there be such a newspaper or circulating generally as above provided in the township When such notice relates to any proceeding or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation such notice shall also in counties of the second third fourth and fifth classes be published in the legal newspaper if any designated by the rules of court of the proper county for the publication of legal notices and advertisements unless such publication be dispensed with by special order of court Provided however That ordinances auditors' statements summaries of auditors' statements advertisements inviting proposals for public contracts and for bids for materials and supplies or lists of delinquent taxpayers shall be published only in newspapers of general circulation defined as aforesaid

Section 2 Section 201 to 214 inclusive of said act as amended are hereby reenacted revised and amended to read as follows

### Article II

#### Classification and Creation of Townships of the First Class

##### (a) Classification

Section 201 The townships now in existence and those to be here after created are divided into two classes Townships of the first class shall be those having a population of at least three hundred inhabitants to the square mile which have heretofore fully organized and elected their officers and are now functioning as townships of the first class or which may hereafter be created townships of the first class in the manner provided in this act All townships not townships of the first class shall be townships of the second class A change from one class to the other shall hereafter be made only as provided by this act or the laws relating to townships of the second class

(b) Creation of Townships of the First Class  
from Townships of the Second Class

Section 205 Enrollment to Ascertain Population At any time not less than one year before the time fixed for taking a decennial census of the United States whenever the owners of twenty-five per centum of the assessed valuation of the real estate of any township of the second class shall present their petition to the court of quarter sessions averring that the population of the township is at least three hundred inhabitants to the square mile and shall give such security as the court may prescribe for the payment of all costs and expenses which may be incurred in any procedure had upon said petition the court shall appoint a commissioner to perform the duties hereafter prescribed

The said commissioner shall make an enrollment of the inhabitants of such township and make report thereof to the court at the next ensuing term Upon the filing of the report the same shall be confirmed nisi which confirmation shall become absolute unless excepted to within thirty days thereafter during which time notice of the said filing and confirmation shall be advertised in a newspaper [published in the county] of general circulation once a week for three weeks If exceptions are filed to the report within the said thirty days the court upon consideration thereof shall confirm the report or modify the said finding After final confirmation the clerk of the court shall certify to the county commissioners and to the township supervisors of the township the population of the township as shown by said proceedings The costs and expenses of the proceedings including a reasonable fee for the commissioner and attorney shall be paid by the petitioners or by the township or partly by each as the court shall direct

Section 206 Proclamations by County Commissioners In addition to the procedure provided in the preceding section the county commissioners of each county shall following each decennial census of the United States ascertain from such census whether any township of the second class in the county has a population of three hundred inhabitants to the square mile and shall immediately certify the fact that any township has a population of three hundred inhabitants to the square mile to the township supervisors of the township

Section 207 Submission of question to Voters At the first general or municipal election occurring [or at a special election held] at least ninety days after the ascertainment by special enrollment or from the last preceding United States census [including the United States census of one thousand nine hundred and thirty and each subsequent census] that any township of the second class has a population of at least three hundred inhabitants to the square mile and after [the filing of] a petition signed by at least five per centum of the registered voters of the township has been filed in the quarter sessions court the question whether such township of the second class shall become a township of the first class shall be submitted to the voters of the township and the county [commissioners] board of elections shall cause to be printed on separate ballots to be used in such township at such election a proper question framed in accordance with the [election laws of the Commonwealth] A special election for such purpose shall be held on a day to be fixed by the court of quarter sessions of the county upon petition signed by at least five per centum of the registered voters of the township The costs and expenses of such a special election shall be paid by the petitioners as the court may direct] Pennsylvania Election Code

Section 208 Returns of Election and Effect Thereof The election officers shall compute the votes cast at the election provided for in the preceding section and make return thereof to the clerk of the court of quarter sessions who shall tabulate the same and certify the result thereof to the county commissioners and the town-

ship supervisors of such township If a majority of the votes cast at any such election shall be in favor of becoming a township of the first class the government of the township of the first class shall be organized and become operative on the first Monday of January next succeeding such election at which time the terms of the officers of the township of the second class shall cease and terminate If a majority of the votes cast at any such election shall be in favor of remaining a township of the second class no further proceedings shall be had for a period of two years after which period the supervisors by unanimous action may or upon petition of ten per centum of the registered voters of the township shall through the County Board of Elections resubmit the question to the electors of the township in the manner hereinbefore provided

(bb) Reestablishment of Townships of the  
Second Class

Section 209 Ascertainment of Population At any time not less than one year before the time fixed for taking a decennial census of the United States whenever the owners of twenty-five per centum of the assessed valuation of the real estate of any township of the first class shall present their petition to the court of quarter sessions averring that the township no longer has a population of three hundred inhabitants to the square mile and shall give such security as the court may prescribe for the payment of all costs and expenses which may be incurred in any procedure had upon said petition the court shall appoint a commissioner to perform the duties hereafter prescribed

The said commissioner shall make an enrollment of the inhabitants of such township and make report thereof to the court at the next ensuing term Upon the filing of the report the same shall be confirmed nisi which confirmation shall become absolute unless excepted to within thirty days thereafter during which time notice of the said filing and confirmation shall be advertised in a newspaper [published in the county] of general circulation once a week for three weeks If exceptions are filed to the report within the said thirty days the court upon consideration thereof shall confirm the report or modify the said finding After final confirmation the clerk of the court shall certify to the county commissioners and to the township supervisors of the township the population of the township as shown by said proceedings The costs and expenses of the proceedings including a reasonable fee for the commissioner and attorney shall be paid by the petitioners or by the township or partly by each as the court shall direct

In addition to the procedure provided in the preceding paragraph the county commissioners of each county shall following each decennial census of the United States ascertain from such census whether any township of the first class in the county no longer has a population of three hundred inhabitants to the square mile and shall immediately certify the fact that any township no longer has a population of three hundred inhabitants to the square mile to the board of commissioners of the township

Section 209a Submission of Question to Voters Returns of Election and Effect Thereof At the first general or municipal election occurring at least ninety days after the ascertainment by special enrollment or from the last preceding United States census [including the United States census of one thousand nine hundred and thirty and each subsequent census] that any township of the first class no longer has a population of at least three hundred inhabitants to the square mile the question whether such township of the first class shall be reestablished as township of the second class shall be submitted to the voters of the township and the county [commissioners] board of elections shall cause to be printed on separate ballots to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth

The election officers shall compute the votes cast a

the election provided for in the preceding paragraph and make return thereof to the clerk of the court of quarter sessions who shall tabulate the same and certify the result thereof to the county [commissioners] board of elections and the township commissioners of such township. If a majority of the votes cast at any such election shall be in favor of becoming reestablished as a township of the second class the government of the township of the second class shall be organized and become operative on the first Monday of January next succeeding such election at which time the terms of the officers of the township of the first class shall cease and terminate. If a majority of the votes cast at any such election shall be in favor of remaining a township of the first class no further proceedings shall be had for a period of four years after which period the board of township commissioners by unanimous action may or upon petition of ten per centum of the registered voters of the township shall through the county board of elections resubmit the question to the electors of the township in the manner hereinbefore provided.

[The provisions of this and the preceding section shall apply to all townships of the first class the governments of which as townships of the second class have not been actually organized at the time this act becomes effective and such townships shall continue as townships of the first class until the election hereinbefore provided shall determine otherwise.]

(c) Creation of Townships of the First Class  
By Consolidation

Section 210 Manner in Which Townships of the First Class May Be Created The court of quarter sessions may upon the presentation of petitions as hereinafter provided create new townships of the first class by the consolidation of two or more townships of the first class located in the same county.

Section 211 Petitions (a) Petitions for the creation of townships as provided in the preceding section shall be signed by registered electors equal in number to at least five per centum of the highest total vote cast for candidates for any office in the townships affected at the last preceding municipal election. Such petition shall be sworn to and subscribed by at least three of the signers.

(b) Petitions for the consolidation of townships may also be presented when signed by a majority of the commissioners of each of the townships proposed to be consolidated and sworn to and subscribed by at least one commissioner from each such township.

Such petitions shall set forth the name of any proposed new township and shall specify the reasons for such consolidation. Each such petition shall be accompanied by an accurate map or plot prepared by an engineer showing the lines of the new township and the present division lines between such townships. Where natural marks are on such lines they shall also be shown.

Section 212 Confirmation Nisi of Petition Notice of Filing Upon the presentation of any such petition the same shall be confirmed nisi and the court shall by its order require such notice to be given by the petitioners to the residents and commissioners of the townships affected as it deems proper.

Section 213 Exceptions Confirmation Absolute of Petition Within thirty days after the filing of such petition any taxpayer of the township affected may file exceptions to such petition questioning the sufficiency of the number of signers or the legality of any signatures or the accuracy or sufficiency of the map or plot attached thereto. The court upon the filing of any exceptions shall fix a day for hearing of which such notice shall be given as the court may direct. At such hearing the court shall hear all parties interested and their witnesses. If the exceptions in the opinion of the court are sustained and the court deems the petition not amendable it shall dismiss the petition otherwise it shall confirm the same absolutely after any amendments permitted by the court have been made.

Section 214 Elections When any petition is confirmed absolutely the court shall order an election to be held on the question of the consolidation of such townships which shall be held on the day of the next general or municipal election occurring at least [sixty] ninety days after such order of court. Such election shall be held at the regular polling places in the townships affected. At any such election all of the [qualified] registered electors of the townships affected by such consolidation shall have the right to vote. The ballots at such election shall be furnished by the county commissioners and the question to be placed thereon shall be framed and printed on the ballots as provided by the [election laws of the Commonwealth] Pennsylvania Election Code.

Section 3 Section 215 of said act is hereby repealed.

Section 4 Sections 216 217 218 and 219 of said act are hereby reenacted revised and amended to read as follows.

Section 216 Return of Election Decree The election officers after the polls have been closed shall count the ballots and certify the number of votes cast for and against such consolidation to the clerk of the court of quarter sessions who shall tabulate and compute the same and lay the result before the court. If it shall appear that a majority of the votes cast in each of the townships affected are in favor of the consolidation of two or more townships the court shall order and decree the creation of the new township agreeably to the name and lines set forth in the petition and the government of the new township shall be organized and become effective on the first Monday of January next succeeding such election at which time the terms of office of township officers in such townships shall cease and terminate. If a majority of the votes cast in any of the townships affected are against the consolidation of such townships no further action shall be had upon said proceedings. No new proceeding shall be entertained by the court for a period of two years.

Section 217 Boundary Monuments The court shall when deemed necessary cause the lines of any such new township to be appropriately marked with stone monuments placed at intervals not exceeding fifteen hundred feet the cost thereof to be paid by the new township.

Section 218 Classification of New Townships Townships created by the consolidation of townships are herein provided shall be and remain townships of the first class unless and until by subsequent proceedings in accordance with [laws relating to townships of the second class] this act any such township shall be reestablished or proclaimed to be a township of the second class.

Section 219 Costs When a township of the first class is created as hereinbefore provided the costs of the proceedings shall be paid by such township and where any petition is dismissed or a majority of the electors of any one or more townships shall vote against the consolidation of any such township the costs of the proceedings shall be paid by the townships proposed to be consolidated as the court may direct.

Section 5 Section 221 of said act is hereby repealed.

Section 6 Sections 225 226 227 and 228 of said act are hereby reenacted revised and amended to read as follows.

(d) Officers of Newly Created Townships

Section 225 Officers for New Townships Whenever a new township of the first class shall be created in accordance with any of the procedures in this article the court of quarter sessions shall appoint five commissioners and the other elective officers to which the township is entitled and fix the polling place or places in such townships. The officers so appointed shall hold their offices from the first Monday of January following the election creating such township until the first Monday of January following the municipal election at which officers of the township are elected as hereinafter provided.

Section 226 Election of Commissioners in New Townships At the first municipal election following the creation of a township as hereinbefore provided if such township has not been divided into wards there shall be elected

five township commissioners at large Three of such commissioners shall be elected for terms of four years each and two for terms of two years each from the first Monday of January next following such election The ballots at such election shall designate the term for which each commissioner is elected Their successors shall be elected for terms of four years in accordance with this act

Section 227 Election of Treasurer in New Townships At such municipal election the qualified electors of such township shall elect a township treasurer for a two or four year term so that his term shall expire at the same time as the terms of treasurers of other townships of the first class under the provisions of this act Thereafter the term of treasurer of said township shall be four years from the first Monday of January next following his election

Section 228 Election of Township Assessor and Assistant Township Assessor in New Townships At such municipal election one township assessor shall be elected for a term of four years and one assistant township assessor for a term of two years Thereafter the terms of such township assessor and assistant township assessor shall be four years from the first Monday of January succeeding their respective elections

This section shall not apply to townships in counties having county boards for the assessment and revision of taxes where assessors under existing laws are appointed

Section 7 Section 229 of said act is hereby repealed

Section 8 Section 235 of said act is hereby reenacted revised and amended to read as follows

(e) Certificate of Creation of Townships to be  
Furnished State Departments

Section 235 Whenever a township of the first class is created the clerk of the court shall certify such creation to the [Secretary] Department of Internal Affairs and [Secretary] Department of Highways of the Commonwealth The clerk of the court shall be allowed a fee of [two] three dollars and fifty cents for his service to be paid as part of the costs of the proceedings

Section 9 Article III and sections 301 to 307 inclusive of said act are hereby reenacted revised and amended to read as follows

Article III

Township Lines and Boundaries

Section 301 [Center Line of Navigable Stream as Boundary] Stream Boundaries When any township is bounded by the nearest margin of any navigable stream and the opposite township borough or city as the case may be is also bounded by the nearest margin of the same stream the middle of such stream shall be the boundary between such [townships or] township and [any] the opposite township borough or city Nothing contained in this section shall be construed to repeal any local or special law providing to the contrary

Section 302 [Petition to Alter or Ascertain Township Lines and] Establishment of Boundaries The courts of quarter sessions may upon the presentation of a petition (a) alter the lines of [two or more] a township and any adjoining [townships] township borough or city so as to suit the convenience of the inhabitants thereof (b) cause the lines or boundaries of townships to be ascertained and established and (c) ascertain and establish disputed lines and boundaries between two or more townships or between townships and cities or boroughs When any such petition is presented the court may require the petitioners to file a bond in sufficient sum to secure the payment of all costs of the proceeding

Section 303 [Appointment and Report of Commissioners] Petition to Court Commissioners' Report Upon application by petition [to the court for any of the purposes set forth in the last preceding section] the court shall appoint three impartial citizens one of whom shall be a registered [civil] surveyor or engineer to inquire into

the prayer of the petition After having given notice to parties interested as directed by the court the commissioners shall hold a hearing and view the [said] lines or boundaries and they or any two of them shall prepare a report together with their opinion of the same and accompany it with a plot or draft of the lines and boundaries proposed to be altered or ascertain and established if the same cannot be fully designated by natural lines or boundaries Upon the filing of any such report the same shall be confirmed nisi and the court may by its order require such notice to be given by the petitioners to the parties interested as it deems proper

Section 304 Exceptions and Procedure Exceptions to any such report may be filed by any person interested or political subdivision within thirty days after the filing of the report and the court may thereupon fix a day for the hearing of such exceptions of which [hearing] such notice shall be given as the court [shall] may direct After hearing the court shall have power to sustain such exceptions or to dismiss them and confirm the report or refer the report back to the same or new commissioners with like authority to make another report on which like legal proceedings may be had Where no exceptions are filed within thirty days after the filing of the report the court shall confirm the same absolutely When any report is confirmed absolutely the court shall enter a decree altering or ascertaining and establishing the lines and boundaries as shown in said report

Section 305 Monuments Whenever any such township line or boundary is altered or ascertained and established the court shall cause the same to be appropriately marked with stone monuments placed at intervals not exceeding fifteen hundred feet

Section 306 [Pay] Compensation and Expenses of Commissioners [Civil Engineer and Chain-carriers] Costs The [pay] compensation and expenses of commissioners appointed to alter or ascertain and establish township lines shall be [ten dollars the pay of civil engineers shall be twenty dollars and the pay of chain-carriers shall be five dollars for each day necessarily employed and five cents per mile for each mile necessarily traveled in the discharge of their duties] in the amount approved by the court The court shall by its order provide how the costs and expenses of any such proceeding including the furnishing and placing of monuments shall be paid and may assess them against the petitioners any township [and] or municipalities interested or any of them

Section 307 Adjustment of Indebtedness Whenever the boundaries of any township have been altered or ascertained and established [upon application of the supervisors commissioners or the authorities of any school district or poor district] the court of [common pleas sitting in equity] quarter sessions may adjust the taxes debts and expenses for township municipal [poor] and school purposes between the townships municipalities [poor] and school districts affected

Section 10 Article IV and sections 401 to 408 inclusive of said act are hereby reenacted revised and amended to read as follows

Article IV

Wards

Section 401 [Petitions to Create Divide or Redivide Wards] Creation Division and Redivision of Wards The court of quarter sessions upon petition may divide or redivide any township heretofore or hereafter created into wards erect any wards out of two or more adjoining wards or parts thereof divide any wards already erected into two or more wards or alter the lines or boundaries of any two or more adjoining wards and may cause lines or boundaries of wards to be fixed and established No township shall be divided or redivided into more than fifteen wards

No ward shall be created containing less than three hundred registered electors therein and all wards which now or at any time hereafter shall contain less than

three hundred and fifty registered electors therein may in the discretion of the court be abolished and if so abolished the territory thereof shall be distributed among the remaining wards in such manner as the court of quarter sessions shall direct. All other wards as heretofore established shall remain as heretofore until altered or divided as provided in this article.

Provided That if in townships wherein any ward shall be abolished as herein provided the number of wards shall be reduced to less than five then the commissioner in the ward or wards abolished shall continue in office for the term for which elected and shall become [the] a commissioner or commissioners at large from such township as provided in this act with respect to townships having less than five wards.

**Section 402 Signing Petition Appointment and Powers of Commissioners** The petition shall be signed by at least twenty free holders residents of the township or of the ward or wards the limits of which it is proposed to change. Upon the presentation of the petition the court shall appoint three impartial men as commissioners one of whom shall be a [civil] registered engineer or surveyor to inquire into the propriety of granting the prayer of the petitioners. The commissioners or any two of them shall make a report to the [next term of] court and shall accompany it with a plot showing the boundaries of the township and the wards before and after the proposed change whenever the same cannot be fully designated by natural lines.

**Section 403 Filing and Confirmation of Report Exceptions** When the [same] report is presented the court shall confirm the report nisi which confirmation shall become absolute unless exceptions thereto are filed within thirty days after such confirmation nisi. The court may grant a review if in its opinion a better adjudication may thereby be secured. If no exceptions are filed the court may confirm the report or make such other order as by it shall be deemed proper. If exceptions are filed the court shall fix a time for hearing and thereafter shall enter such decree as by it shall be deemed just and proper. From the final decree as entered by the court of quarter sessions there shall be no appeal.

**Section 404 [Pay] Compensation of Commissioners** The commissioners appointed under the provisions of this act shall receive [ten dollars per diem except the civil engineer who shall receive twenty dollars per diem. Each commissioner shall also be entitled to mileage at the rate of five cents per mile circular] such compensation as the court shall fix. The compensation of the commissioners [and mileage] and reasonable attorney's fees shall be paid by the township in all cases where the prayer of the petitioners is granted and in other cases shall be paid by the petitioners.

**Section 405 Election Districts** The court of quarter sessions may from time to time divide any such ward into two or more election districts so as to suit the conveniences of the electors thereof.

**Section 406 Numbering of Wards** When any township shall be divided or redivided into wards or when any ward in any township shall be created divided or altered the court shall in its decree fix the number of each of the wards of such township.

**Section 407 Schedule for Election of Commissioners in Townships First Divided into Wards** When a township is first divided into wards the township commissioners then in office shall continue in office until the expiration of their respective terms.

At the first municipal election occurring at least ninety days after such division into wards there shall be elected by the [qualified] registered electors of each ward of the township one township commissioner who shall reside in the ward for which he is elected. At such election the township commissioners elected in even-numbered wards shall be elected for terms of two years each and those in odd-numbered wards for terms of four years each or vice versa as the case may be in order that the expiration of

such terms will harmonize with the expiration of terms of township commissioners elected for such numbered wards under the provisions of this act. Thereafter successors to such commissioners shall be elected [by wards shall be elected] for terms of four years each at the municipal election immediately preceding the expiration of the terms of ward commissioners.

If the number of wards into which the township has been divided is less than five then at the municipal election preceding the expiration of the terms of any commissioner or commissioners theretofore elected at large if such expiration of terms will leave the township with less than five township commissioners there shall be elected at large a sufficient number of township commissioners so that the total number of commissioners elected by wards and at large in the township shall thereafter be five. If one township commissioner is elected at large at such election he shall be elected for a term of four years. If two township commissioners are elected at large at such election one shall be elected for a term of two years and one for a term of four years. If three township commissioners are elected at large at such election two shall be elected for terms of four years each and one for a term of two years. Successors to such township commissioners elected at large at such election shall be elected for terms of four years each.

All terms of office of township commissioners elected at large or by wards shall commence on the first Monday of January next following their election.

**Section 408 Schedule of Election of Commissioners in Newly Created Wards** Whenever in a township previously divided into wards a new ward is created and the number of wards thereafter in such township including the new ward is less than five then at the municipal election next following the expiration of the term of the commissioner or commissioners elected at large whose terms shall first expire after such creation there shall be elected by the [qualified] registered electors of such new ward one township commissioner who shall reside in the ward for which he is elected for a term of two or four years so that the expiration of his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act. Successors to such township commissioners shall be elected for terms of four years. The number of commissioners thereafter elected at large in any such township shall be the difference between the number of wards and five and a sufficient number of commissioners shall be elected at large at each municipal election preceding the expiration of terms of commissioners at large so that the total number of commissioners in the township will at all times be five.

Whenever in any township previously divided into wards a new ward is created and the number of wards thereafter in such township is five then at the municipal election preceding the expiration of the term of office of any commissioner or commissioners elected at large a township commissioner shall be elected for such ward who shall reside in the ward. Such election shall be for a two or four year term so that the expiration of his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act. The successor to such ward commissioner shall be elected for a four-year term. No township commissioner shall thereafter be elected at large in such township.

If the number of wards in such township including the new ward shall be more than five the court of quarter sessions shall appoint a township commissioner for such new ward who shall hold office until the first Monday in January succeeding the first municipal election at which township commissioners are elected in such numbered wards under the provisions of this act at which election and every four years thereafter a township commissioner who shall reside in the ward shall be elected by the qualified electors of said ward for a term of four years.

All township commissioners elected under this section

shall take office on the first Monday of January next succeeding their election

Section 11 Section 409 of said act is hereby repealed

Section 12 Sections 501 to 505 inclusive of said act are hereby reenacted revised and amended to read as follows

#### Article V

#### Election of Officers Vacancies in Office

##### (a) General Provisions

Section 501 Electors Only Eligible No person shall be eligible to any elective office in any township unless he is [an] a registered elector of the township for which he is chosen

Section 502 Hold Until Successors Qualified Officers of townships other than township commissioners shall hold their offices until their successors are elected and qualified but such service shall not continue longer than the first Monday of January succeeding the next municipal election at which election a successor shall be elected for the unexpired term

Section 503 Elected Officers Enumerated The electors of each township shall elect (a) at least five township commissioners (b) one township treasurer (c) except as hereinafter otherwise provided one township assessor and one assistant township assessor [and two assistant triennial assessors] and (d) except as otherwise hereinafter provided three elected auditors or one appointed auditor or one controller where such office has been established All elected township officers shall be registered electors of the township

##### (b) Commissioners

Section 504 Number and Election of Commissioners in Townships Having Wards In townships having less than five wards the number of commissioners shall be five One such commissioner shall be elected from each ward and the remaining number of commissioners to which the township is entitled shall be elected at large In townships having five or more wards one commissioner shall be elected from each ward Commissioners shall reside in the ward from which elected and shall have resided in said ward continuously for at least one year before their election Township commissioners shall be elected at municipal elections preceding the expiration of the terms of commissioners then in office for terms of four years each from the first Monday of January succeeding their election At the election in the year one thousand nine hundred and [thirty-one] fifty-one the commissioners from odd-numbered wards shall be elected and at the election in the year one thousand nine hundred and [thirty-three] fifty-three those from even-numbered wards shall be elected Elections at large shall be held at the municipal election preceding the expiration of the term of any commissioner elected at large

Section 505 Number and Election of Commissioners in Townships Not Divided into Wards In townships not divided into wards the number of township commissioners shall be five who shall be elected at large by the voters of the township At each municipal election two or three township commissioners as the case may be shall be elected for terms of four years each from the first Monday of January next succeeding to take the place of the commissioners whose terms then expire

Section 13 Section 506 of said act is hereby repealed

Section 14 Sections 510 511 and 515 of said act are hereby reenacted revised and amended to read as follows

##### (c) Treasurer

Section 510 Election of Treasurer At the municipal election in the year one thousand nine hundred and [thirty-three] fifty-three and every fourth year thereafter the electors of each township shall elect a township treasurer for a term of four years from the first Monday of January next following his election

When the township treasurer is unable to perform the duties of his office and fails or refuses to appoint a deputy

the court of common pleas on petition of the township commissioners shall appoint a deputy treasurer to serve until the treasurer is again able to perform the duties of his office or until such deputy is removed by the court but in no instance shall such deputy serve beyond the term of the treasurer in whose office he is serving as deputy treasurer The court shall also fix the compensation of such deputy treasurer at a rate not to exceed that paid to the elected township treasurer For the time such deputy shall serve such compensation shall be deducted from the compensation otherwise payable to the township treasurer Such deputy shall furnish bond in the same manner as the bond of the treasurer

Section 511 Eligibility The same person may hold the office of township treasurer and treasurer of the school district but no township treasurer shall hold any other township office except that of tax collector

##### (d) Assessors

Section 515 Election of Township Assessor and Assistant Township Assessor At the municipal election preceding the expiration of the term of any township assessor or assistant township assessor and quadrennially thereafter one township assessor or one assistant township assessor or both as the case may be shall be elected for four year terms from the first Monday of January next succeeding their election

The compensation of the assistant township assessor shall be the same as provided by law for the township assessor and shall be paid by the county

This section shall not apply to townships in counties having county boards for the assessment and revision of taxes where assessors under existing laws are appointed

Section 15 Sections 516 and 517 of said act are hereby repealed

Section 16 Sections 520 525 526 530 531 532 and 533 are hereby reenacted, revised and amended to read as follows

##### (e) Auditors

Section 520 Election of Auditors At each municipal election one auditor shall be elected for a term of six years from the first Monday of January succeeding such election No auditor shall at the same time hold any other elective or appointive office

Any township may instead of electing three auditors as above provided or one controller as hereinafter provided provide by ordinance for the audit of its accounts by an auditor appointed by the court of [common pleas] quarter sessions of the county who shall be either a person or firm licensed as a certified public accountant or a person skilled in auditing work and where such an ordinance is so adopted such auditor shall be appointed by the court [on or before the first Monday of January each year] annually before the commencement of a fiscal year to audit the accounts of the township for the fiscal year then closing Any such appointed auditor shall have and possess all the powers and perform all the duties provided in this act for elected auditors The compensation of any such appointed auditor shall be fixed by the court In townships so providing by ordinance for an appointed auditor the office of elected auditor is hereby abolished

Whenever any township has heretofore provided by ordinance for the audit of its accounts by an auditor appointed by the court of [common pleas of] the county said township shall have the right at any time to repeal said ordinance and thereupon the office of auditor appointed by the court [of common pleas of the county] shall be abolished and said township shall have the further right at the next municipal election following the repeal of said ordinance to elect three auditors one for a term of two years one for a term of four years and one for a term of six years from the first Monday of January succeeding such election which auditors so elected shall succeed the auditor appointed by the court [of common pleas of the county] and shall have and possess all the powers and perform all the duties provided in this act for elected auditors

## (f) Controller

Section 525 Election of Controller The qualified electors in every township of the first class accepting the provisions of this act relating to the controller as hereinafter provided shall at the municipal election in the year one thousand nine hundred and [thirty-three] fifty-three and every four years thereafter elect as township controller one person who shall be a competent accountant and [an] a registered elector of the township [for at least four years prior to his election] The person so chosen shall serve for a term of four years from the first Monday of January next succeeding his election

Section 526 Acceptance of Controller Provisions by Ordinance The provisions of this act relating to the controller shall not become operative or effective in any township until the board of commissioners shall by ordinance accept the provisions of this act relating to the office of controller Such office of controller shall be continued until the acceptance ordinance be repealed when it shall terminate and the accounts of township officers shall thereafter be audited by auditors as in this act provided When any township so accepts the provisions of this act the court of quarter sessions upon petition of the board of commissioners shall appoint a controller to hold office until the first Monday of January next succeeding the next municipal election at which a controller may be elected under the provisions of this act

In all townships of the first class so accepting the provisions of this act the office of township auditor is abolished

## (g) Vacancies in Office

Section 530 Township Commissioners When a vacancy occurs in the office of township commissioner in any township by reason of death resignation removal from the township or ward or otherwise the board of township commissioners of such township shall fill such vacancy by appointing by resolution a [qualified] registered voter of the ward or township as the case may be in which the vacancy occurs If the board of township commissioners of any township shall refuse fail or neglect or be unable for any reason whatsoever to fill such vacancy within thirty (30) days after the vacancy occurs then the court of quarter sessions shall upon the petition of twenty [(20)] [qualified] registered voters of the ward or township as the case may be in which the vacancy occurs appoint a [qualified] registered voter of the township to fill the vacancy In either event the person so appointed shall hold office until the first Monday of January succeeding the next municipal election occurring at least sixty days after the happening of such vacancy at which election a township commissioner shall be elected for the unexpired term of the person whose place he is elected to fill

Section 531 Auditors When a vacancy occurs in the office of township auditor by reason of death resignation removal from the township or otherwise the court of quarter sessions shall upon the petition of registered electors appoint a suitable person to fill such vacancy for the unexpired term of the person whose place he is appointed to fill

Section 532 Township Treasurer and Controller The board of township commissioners [of townships] may fill any vacancy occurring in the office of township treasurer or township controller by death resignation removal from the township or otherwise The person so appointed shall hold office until the first Monday of January succeeding the next municipal election occurring at least sixty days after the happening of such vacancy at which election a treasurer or controller shall be elected for the unexpired term of the person whose place he is elected to fill

Section 533 Assessors Vacancies in the office of assessor and assistant township assessors [or assistant triennial assessors in townships] shall be filled in the manner provided by law

Section 17 Section 601 602 603 and 604 of said act are

hereby reenacted revised and amended to read as follows

## Article VI

## General Provisions Relating to Township Officers

## (a) General Provisions

Section 601 Oath Every person elected or appointed to any township office in any township shall before entering upon the duties of his office take and subscribe an oath or affirmation before some person having authority to administer oaths to support the Constitution of the United States and of this Commonwealth and to perform the duties of his office with fidelity A copy of such oath or affirmation shall within ten days thereafter be filed with the township secretary

Section 602 Bonds When any officer or employe of any township is required to give bond for the faithful performance of his duties [and such bond is required to be executed by a surety company] the township [shall] may pay the premium on such bond [except in the case of the treasurer where the township may pay such premium]

Section 603 Compensation No township shall increase or diminish the salary compensation or emoluments of any elected officer after his election Appointed officers and employes of the township shall receive such compensation for their services as the township commissioners shall prescribe

Section 604 Failure of Officer to Perform Duties If any township officer refuses or neglects to perform his duties the court of quarter sessions upon complaint in writing by one hundred citizens owners of real estate residing in the township may issue a rule upon such officer to show cause why his office should not be declared vacant and another appointed in his stead Such rule shall be made returnable not less than two weeks from its date of issue Upon hearing and proof that the facts alleged in the complaint are true the court may declare the office vacant and appoint another in his stead to hold office [until the next municipal election at which time a person shall be elected] for the unexpired term

Section 18 Said act is hereby amended by adding thereto section 605 as follows

Section 605 A township may by ordinance provide as compensation to employes of not less than ten years of satisfactory service who are not less than sixty years of age a proportion of the compensation last paid to them but not in excess of fifty per centum thereof as fixed in said ordinance or amendment thereto Nothing herein shall preclude any employe of the township from joining any pension system or municipal retirement system that the township may establish or adopt The intent and purpose of this section is to permit townships without levying any special tax or exceeding the existing tax limitation for general revenue purposes to pay to their employes who are too old to advantageously join any pensioning or retirement system a reasonable annuity in lieu of joining a pension or retirement system and who are not and cannot now be socially protected by any Federal social security system

Section 19 Sections 610 611 612 620 621 622 and 623 of said act are hereby reenacted amended and revised to read as follows

## (b) County Associations of Township Officers

Section 610 Formation of County Associations Meetings County associations of township officers may be formed Such associations when formed shall hold annual or semiannual conventions at the county seats of the respective counties or some other suitable place within the county for the purpose of considering and discussing questions and subjects pertaining to the best methods for the construction improvement and maintenance of the public highways and bridges and the administration of township governments

Section 611 Membership of Associations Expenses of Members The township commissioners and other officers

of the township designated by the township commissioners shall attend such conventions whenever possible. Each township officer attending such convention shall receive a certificate signed by the presiding officer and acting secretary of the convention attesting his presence at the convention. Such certificate shall entitle him to collect from the township treasurer the sum of three dollars per day for each day's attendance and mileage at the rate of five cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held. No township officer shall be paid for more than two days' attendance in any one year. The expenses of holding any such convention shall be paid pro rata by the townships joining therein.

**Section 612 Officers of Association Ex-Officio Membership.** The officers of the association shall consist of a president, two vice-presidents, a secretary and a treasurer, all of whom except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen. If desirable, the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding [ten] twenty-five dollars per annum as the other officers may determine. Every township shall have one vote in the convention. The mayor of any city, the burgess of any borough or their duly appointed representative, the county commissioners and the judges of the court in the county, the township engineer of the State Highway Department, the assistant engineers of the division of township highways and the superintendent of State highways in charge of such county shall be eligible to membership but shall not be entitled to vote nor to hold office.

#### (c) State Association of Township Officers

**Section 620 Formation of State Association Authorized.** The formation of a State association of township commissioners is hereby authorized. Such officers of the township as may be designated by the township commissioners may attend such meeting. The association shall hold annual meetings at such time and place within the Commonwealth as it may designate for the purpose of discussing various questions and subjects pertaining to the duties of township commissioners and for the purpose of devising uniform economical and efficient methods of administering the affairs of townships [of the first class].

**Section 621 Delegates from Townships.** Each township shall send at least one township officer as a delegate to each annual meeting of said State association who shall be selected by the commissioners of the township of which he is a commissioner or an officer.

**Section 622 Expenses of Delegates Paid by Townships.** The expenses of the delegates and other officers attending the annual meeting shall not exceed nine dollars [(\$9)] per day for each officer attending for not more than three days together with the actual mileage at the prevailing rate of railroad fare [and] which shall be paid by the respective townships.

**Section 623 Expenses of Annual Meeting [Limited].** The expenses of the annual meeting including expenses of committees, printing and stenographers shall be paid by the respective townships joining in such State association.

**Section 20** Said act is hereby amended by adding to Article VI subdivision (d) and Sections 625 to 650 to read as follows:

#### (d) Civil Service for Police and Firemen

**Section 625 Appointments of Police and Firemen.** This subdivision (d) of this article shall not apply to any township having a police force of less than three members or to volunteer fire departments or companies employing their own operators or to townships having less than three salaried operators of fire apparatus. The subdivision (d) of this article is subject as heretofore to the power of the township commissioners to determine compensation. Hereafter each and every appointment to and promotion

directly by the township shall be made only according to qualifications and fitness to be ascertained by examinations which shall be competitive as hereinafter provided.

No person shall hereafter be suspended, removed or reduced in rank as a paid employee in any police force or as a paid operator of fire apparatus of any township except in accordance with the provisions of this subdivision.

**Section 626 Civil Service Commission Created.** Appointments Vacancies. There is hereby created in each township where a police force or paid fire apparatus operators as hereinbefore provided are being maintained a civil service commission hereinafter referred to as the commission. The commission shall consist of three commissioners who shall be qualified electors of the township and shall be appointed by the township commissioners initially to serve for the terms of two, four and six years and as terms thereafter expire shall be appointed for terms of six years.

Any vacancy occurring in any commission for any reason whatsoever shall be filled for the unexpired term within the period of thirty days after such vacancy occurs.

Each member of the commission created by this subdivision before entering upon the discharge of the duties of his office shall take an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform his official duties with fidelity.

**Section 627 Offices Incompatible With Civil Service Commissioner.** No commissioner shall at the same time hold an elective or appointed office under the United States government, the Commonwealth of Pennsylvania or any political subdivision of the Commonwealth except that one member of the commission may be a member of the board of township commissioners.

**Section 628 Organization of Commission Quorum.** The commission first appointed shall organize within ten days of its appointment and shall elect one of its members as the chairman and one as the secretary. The commission shall thereafter meet and organize on the first Monday of each even-numbered year. Each commissioner shall be notified in writing of each and every meeting. Two members of the commission shall constitute a quorum and no action of the commission shall be valid unless it shall have the concurrence of at least two members.

**Section 629 Clerks and Supplies.** The township shall furnish to the commission on its requisition such clerical assistance as may be necessary for the work of the commission. The township shall provide a suitable and convenient room for the use of the commission. The commission shall order from the township the necessary stationery, postage, printing or supplies and the elected and appointed officials of every such township shall aid the commission in all proper ways in carrying out the provisions of this subdivision.

**Section 630 Rules and Regulations.** The commission shall have power to prescribe, amend and enforce rules and regulations for carrying into effect the provisions of this subdivision and shall be governed thereby. Before any such rules and regulations are in force the same shall first be approved by the township commissioners. When such rules and regulations have been so approved they shall not be annulled, amended or added to without the approval of the township commissioners. All rules and regulations and modifications thereof shall be printed for public distribution at the expense of the township.

**Section 631 Minutes and Records.** The commission shall keep minutes of its proceedings and records of examinations and other official actions. All recommendations of applicants for appointment received by the commission shall be kept and preserved for a period of five years and all such records and all written causes of removal filed with the commission shall be subject to reasonable regulation and open to public inspection.

**Section 632 Investigations.** The commission shall have power to make investigations concerning all matters

touching the administration and enforcement of the civil service provisions of this article and rules and regulations adopted thereunder The chairman of the commission is hereby given power to administer oaths

**Section 633 Subpoenas** The commission shall have power to issue subpoenas over the signature of the chairman to require the attendance of witnesses and the production of records and papers pertaining to any investigation or inquiry The fees of such witnesses for attendance and travel shall be the same as for witnesses appearing in the courts and shall be paid from appropriations for the incidental expenses of the commission

All officers in public service and employes shall attend and testify when required to do so by the commission

If any person shall refuse or neglect to obey any subpoena issued by the commission he shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not to exceed one hundred dollars (\$100) and in default of the payment of such fine and costs shall be imprisoned not to exceed thirty days

If any person shall refuse or neglect to obey any subpoena issued by the commission it may apply by petition to the court of common pleas of the county for its subpoena requiring the attendance of such persons before the commission or the court there to testify and to produce any records and papers necessary and in default thereof shall be held in contempt of court

**Section 634 Annual Report** The commission shall make an annual report to the township commissioners containing a brief summary of its work during the year which shall be available for public inspection

**Section 635 General Provisions Relating to Examinations** The commission shall make rules and regulations to be approved as provided in section 630 hereof providing for the examination of applicants for positions in the police force and as paid operators of fire apparatus and for promotions which rules and regulations shall prescribe the minimum qualifications of all applicants to be examined and the passing grades All examinations for positions or promotions shall be practical in character and shall relate to such matters and include such inquiries as will fairly test the merit and fitness of the persons examined to discharge the duties of the employment sought by them All examinations shall be open to all applicants who have the minimum qualifications required by the rules and regulations Each applicant for examination shall be subject to the regulations adopted by the commission and shall be required to submit to a physical examination before being admitted to the regular examination held by the commission

Public notice of the time and place of every examination together with the information as to the kind of position or place to be filled shall be given by publication once in a newspaper of general circulation in the township or in a newspaper circulating generally in the township at least two weeks prior to each examination and a copy of the notice shall be prominently posted in the office of the commission or other public place

The commission shall post in its office the eligible list containing the names and grades of those who have passed the examination Persons male or female who served in the military or naval service of the United States during any war in which the United States has been is now or shall hereafter be engaged and who have honorable discharges from such service who have successfully passed the examination shall be given the additional credits and preference in appointment and promotion provided for by law

**Section 636 Application for Examination** Each person desiring to apply for examination shall file with the commission a formal application in which the applicant shall state under oath or affirmation (a) his full name and residence or post office address (b) his citizenship place and date of birth (c) his condition of health and physical capacity for public service (d) his business or employment and his residence for the past five years

and (e) such other information as may be required by the commission's rules and regulations showing the applicant's qualifications for the position for which he is being examined

**Section 637 Rejection of Applicant Hearing** The commission may refuse to examine or if examined may refuse to certify after examination as eligible any applicant who is found to lack any of the minimum qualifications for examination prescribed in the rules and regulations adopted for the position or employment for which he has applied or who is physically disabled and unfit for the performance of the duties of the position to which he seeks employment or who is addicted to the habitual use of intoxicating liquors or narcotic drugs or who has been guilty of any crime involving moral turpitude or of infamous or notoriously disgraceful conduct or who has been dismissed from public service for delinquency or misconduct in office or who is affiliated with any group whose politics or activities are subversive to the form of government set forth in the Constitutions and laws of the United States and Pennsylvania

If any applicant or person feels himself aggrieved by the action of the commission in refusing to examine him or to certify him as eligible after examination the commission shall at the request of such person within ten (10) days appoint a time and place where he may appear personally and by counsel Whereupon the commission shall then review its refusal to make such examination or certification and take such testimony as may be offered The division of the commission shall be final

**Section 638 Manner of Filling Appointments** Every position or employment in the police force or as paid operators of fire apparatus except that of chief of police or chief of the fire department or equivalent shall be filled only in the following manner the township commissioners shall notify the commission of any vacancy which is to be filled and shall request the certification of a list of eligibles The commission shall certify for each existing vacancy from the eligible list the names of three persons thereon who have received the highest average The township commissioners shall thereupon with sole reference to the merits and fitness of the candidates make an appointment from the three names certified unless they make objections to the commission as to one or more of the persons so certified for any of the reasons stated in section 637 of this subdivision Should such objections be sustained by the commission as provided in said section the commission shall thereupon strike the name of such person from the eligible list and certify the next highest name for each name stricken off As each subsequent vacancy occurs in the same or another position precisely the same procedure shall be followed

In the case of a vacancy in the office of chief of police or chief of the fire department or equivalent official the township commissioners may nominate a person to the commission It shall thereupon become the duty of the commission to subject such person to a non-competitive examination and if such person shall be certified by the commission as qualified he may then be appointed to such position and thereafter shall be subject to all the provisions of this subdivision

**Section 639 Age Applicant's Residence** No person shall be eligible to apply for examination unless he is more than twenty-one years of age at the date of the application and has been a resident of the township for at least one year preceding immediately his application unless no such resident applicants are available

**Section 640 Probation Period** All original appointments to any position in the police force or as paid operators of fire apparatus shall be for a probationary period of six months but during the probationary period an appointee may be dismissed only for a cause specified in section 637 of this subdivision If at the close of a probationary period the conduct or fitness of the probationer has not been satisfactory to the township commissioners the probationer shall be notified in writing that he will

not receive a permanent appointment Thereupon his appointment shall cease otherwise his retention shall be equivalent to a permanent appointment

**Section 641 Provisional Appointments** Whenever there are urgent reasons for the filling of a vacancy in any position in the police force and there are no names on the eligible list for such appointment the township commissioners may nominate a person to the commission for non-competitive examination and if such nominee shall be certified by the commission as qualified after such non-competitive examination he may be appointed provisionally to fill such vacancy It shall thereupon become the duty of the commission within three weeks to hold a competitive examination and certify a list of eligibles and a regular appointment shall then be made from the name or names submitted by the commission Provided however That nothing herein contained shall prevent the appointment without examination of persons temporarily as police officers in cases of riot or other emergency or of operators of fire apparatus in emergency cases

**Section 642 Promotions** Promotions shall be based on merits to be ascertained by examinations to be prescribed by the commission All questions relative to promotions shall be practical in character and such as will fairly test the merit and fitness of persons seeking promotion

The township commissioners shall have power to determine in each instance whether an increase in salary shall constitute a promotion

**Section 643 Physical Examinations** All applicants for examination shall undergo a physical examination which shall be conducted under the supervision of a doctor of medicine appointed by the commission No person shall be eligible to take an examination until said doctor certifies that the applicant is free from any bodily or mental defects deformity or disease that might incapacitate him from the discharge of the duties of the position desired

**Section 644 Removals** No persons employed in any police or fire force of any township shall be suspended removed or reduced in rank except for the following reasons (1) physical or mental disability affecting his ability to continue in service in which cases the person shall receive an honorable discharge from service (2) neglect or violation of any official duty (3) violation of any law of this Commonwealth which provides that such violation constitutes a misdemeanor or felony (4) inefficiency neglect intemperance disobedience of orders or conduct unbecoming an officer (5) intoxication while on duty (6) engaging or participating in conducting of any political or election campaign otherwise than to exercise his own right of suffrage A person so employed shall not be removed for religious racial or political reasons A written statement of any charges made against any person so employed shall be furnished to such person within five days after the same are filed with the commission

If for reasons of economy or other reasons it shall be deemed necessary by any township to reduce the number of paid employees of the police or fire force then such township shall apply the following procedure (a) if there are any employees eligible for retirement under the terms of any retirement or pension law then such reduction in numbers shall be made by retirement if the party to be retired is eligible for retirement (b) if the number of paid employees in the police or fire forces eligible to retirement is insufficient to effect the necessary reduction in numbers or if there are no persons eligible for retirement or if no retirement or pension fund exists then the reduction shall be effected by furloughing the man or men including probationers last appointed to the respective force Such removal shall be accomplished by furloughing in numerical order commencing with the man last appointed until such reduction shall have been accomplished In the event the said police force shall again be increased the employees furloughed shall be reinstated in the order of their seniority in the service

**Section 645 Hearings on Dismissals and Reduction** If the person suspended removed or reduced in rank shall demand a hearing by the commission the demand shall be made to the commission Such person may make written answers to any charges filed against him not later than the day fixed for hearing The commission shall grant him a hearing which shall be held within a period of ten days from the filing of charges in writing unless continued by the commission for cause at the request of the township commissioners or the accused At any such hearing the person against whom the charges are made may be present in person and by counsel The township commissioners or the chief of police when the township commissioners are not in session may suspend any such person without pay pending the determination of the charges against him but in the event the commission fails to uphold the charges then the person sought to be suspended removed or demoted shall be reinstated with full pay for the period during which he was suspended removed or demoted and no charges shall be officially recorded against his record

A stenographic record of all testimony taken at such hearings shall be filed with and preserved by the commission which record shall be sealed and not be available for public inspection in the event the charges are dismissed

In the event the commission shall sustain the charges and order the suspension removal or reduction in rank the person suspended removed or reduced in rank shall have immediate right of appeal to the court of common pleas of the county and the case shall there be determined as the court deems proper No order of suspension made by the commission shall be for a longer period than one year Such appeal shall be taken within sixty days from the date of entry by the commission of its final order and shall be by petition Upon such appeal being taken and docketed the court of common pleas shall fix a day for a hearing and shall proceed to hear the appeal on the original record and such additional proof or testimony as the parties concerned may desire to offer in evidence The decision of the court affirming or reversing the decision of the commission shall be final and the employee shall be suspended discharged demoted or reinstated in accordance with the order of the court

The township commissioners and the person sought to be suspended removed or demoted shall at all times have the right to employ counsel before the commission and upon appeal to the court of common pleas and shall have the further right of appealing to the Superior or Supreme Court in the manner provided by law

**Section 646 Present Employees Exempted** All appointments in the police or fire forces of townships including the chief of police or equivalent official upon the effective date of this act shall continue to hold their positions and shall not be required to take any examination under the provisions of this act except such as may be required for promotion Provided however That this section shall not be construed to apply to persons employed temporarily in emergency cases

**Section 647 Discrimination on Account of Political or Religious Affiliations** No question in any form of application for examination or in any examination shall be so framed as to elicit information concerning the political or religious opinions of any applicant nor shall inquiry be made concerning such opinion or affiliations and all disclosures thereof shall be discountenanced

No discrimination shall be exercised threatened or promised by any person against or in favor of any applicant or employee because of political or religious opinions or affiliations or race and no offer or promise of reward favor or benefit directly or indirectly shall be made to or received by any person for any act done or duty omitted or to be done under this subdivision of this article

**Section 648 Penalty** Any township commissioner who by his vote causes to be appointed any person to the

police force or as a fire apparatus operator contrary to the provisions of this subdivision or any township commissioner or member of the civil service commission who wilfully refuses to comply with or conform to the provisions of this subdivision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars (\$100) or suffer imprisonment not exceeding three months or both

Section 649 Salaries of Civil Service Commission The civil service commission of townships shall receive no compensation

Section 650 Police Force and Fire Apparatus Operators Defined Police force as used in this subdivision shall mean a police force organized and operating as prescribed by law the members of which devote their normal working hours to police duty or duty in connection with the bureau agencies and services connected with police protection work and who are paid a stated salary or compensation for such work by the township

Fire apparatus operators as used in this subdivision shall mean any person who operates fire apparatus and devotes his normal working hours to operating any piece of fire apparatus or other services connected with fire protection work and who is paid a stated salary or compensation for such work done by the township

Section 21 Section 701 702 703 and 704 of said act are hereby reenacted amended and revised to read as follows

#### Article VII

##### Township Commissioners

Section 701 Organization Failure to Organize The township commissioners shall organize on the first Monday of January of each even-numbered year They shall assemble for such purpose at their place of meeting at seven-thirty o'clock post meridian Until otherwise designated by ordinance the place of meeting shall be the oldest polling place in the township

The board shall organize by the election of one of their number as president and one as a vice-president who as long as they continue to be commissioners shall hold office until their successors are elected and qualified The president or in his absence the vice-president shall preside at all meetings of the board and perform such other duties as are specified in this act or which may be prescribed by ordinance

If a majority of the commissioners shall not attend at the organization meeting those present may adjourn the meeting from day to day until a majority attend

If the township commissioners of any township shall fail to organize within ten days from the time prescribed by this section the court of quarter sessions upon the petition of ten [taxable inhabitants] registered electors verified by the affidavit of [five] one of the petitioners shall issue a rule upon the delinquent [or delinquents] commissioners to show cause why their seats should not be declared vacant The rule shall be returnable not less than five days from the time of its issue and after hearing the court may declare the seats of any delinquent vacant and appoint others in their stead to hold office [until a successor is elected for the unexpired terms at the next municipal election occurring at least sixty days thereafter] for the respective unexpired terms

Section 702 Monthly Meetings Quorum The board of township commissioners shall meet at least once a month at such time and such place as may be designated by ordinance A majority of the members of the board shall constitute a quorum

Section 703 Compensation Each township commissioner shall receive a salary of not more than two hundred dollars per year in townships having a population of less than four thousand not more than three hundred dollars per year in townships having a population of four thousand and more but less than ten thousand [and] not more than four hundred dollars per year in townships having

a population of ten thousand and more but less than fifteen thousand not more than five hundred dollars in townships having a population of fifteen thousand or more but less than twenty thousand and not more than six hundred dollars in townships having a population of twenty thousand or more Such salaries shall be payable quarterly as full compensation for the duties imposed by the provisions of this act

Section 704 Reports to [State Department of Highways] Auditors The township commissioners shall annually on or before the first day of February in each year make a sworn statement to the State Department of Highways on blanks furnished to them by the said department of the whole amount of tax levied during the preceding year for road and bridge purposes and the total amount of taxes collected during the year for road and bridge purposes They shall specify in such report the amount expended for maintenance or repairs of roads and bridges for opening and building new roads and bridges and for macadamizing or otherwise permanently improving roads the number of miles of roads thus made and the total number of miles of township roads in the township Such report shall also contain such other matters and things pertaining to roads and bridges as the department may require the year 1950 and on or before the first day in August in the year 1950 and annually thereafter furnish to the township auditors such accurate information concerning the construction reconstruction maintenance and repair of the streets and the purchase of equipment and machinery and road mileage as may be required to enable the auditors to make the annual township report hereinafter prescribed

Section 22 Sections 801 803 804 805 806 807 and 808 of said act are hereby reenacted revised and amended to read as follows

#### Article VIII

##### Township Treasurer

Section 801 Fidelity Bonds The treasurer of each township shall give a fidelity and not a surety bond to the Commonwealth in a sum to be prescribed by ordinance or resolution and at least equal to fifty per centum of the probable amount of the annual township tax Such bond shall be subscribed by sureties approved by the township commissioners or by a surety company or companies duly authorized to do business in this Commonwealth The bond given by the treasurer shall be conditioned on a just accounting for and paying over all moneys belonging to the township funds that may come into his hands as treasurer from taxation or otherwise for the payment over thereof only in the manner prescribed by law for the delivery to his successor in office of all papers books documents and other things held in right of his office for the payment to such successor of any balance in money remaining in his hands or charged against him in the settlement of his accounts and that as tax collector of township county poor institution district and school taxes he shall account for and pay over all moneys received by him as taxes penalties and interest The township treasurer and his sureties shall be discharged from further liability on any bond as tax collector as soon as all tax items contained in the duplicates delivered to him are either (1) collected and paid over to the proper taxing district or (2) set forth in schedules filed with or certified to the proper tax authorities or (3) returned to the county commissioners for sale of the real estate by the county treasurer or returned in accordance with the Real Estate Tax Sale Law approved July 7 1947 Pamphlet Laws 1368 or (4) in the case of occupation poll and per capita taxes [a record of those which remain uncollected is filed with the tax authority] accounted for by payment over or by exoneration which shall be granted by the taxing district upon oath or affirmation that as tax collector he has compiled with section 20 of the Local Tax Collection Law approved May 25th 1945 P. L. 1050 The township

treasurer shall be required to give but one bond which shall include his duties as township treasurer and collector of township county school institution district and poor taxes and shall cover the full term of his office Should the township county school district institution district or poor district be of the opinion at any time that the bond given is not sufficient additional security may be required to be given at the expense of the taxing district requiring the same The treasurer shall not in any event be required to give bond or bonds aggregating an amount in excess of the [tax] taxes to be collected by him The bond or bonds given by the township treasurer shall be for the use of the township the county the institution district and the school district [and the poor district] Said bond shall be filed with the township commissioners

Section 803 Accounts to Be Kept by Treasurer Every township treasurer shall take charge of all township moneys from all sources and promptly deposit the same in a bank banking institution or trust company in the name of the township and keep distinct accounts of all sums received from taxes and other sources which accounts shall at all times be open to the inspection of the commissioners and township auditor or controller He shall annually state his accounts and lay the same together with the books and the vouchers before the township [auditor] auditors or controller for audit

Section 804 Payment of Moneys on Orders The township treasurer shall pay out the moneys coming into his hands only on orders numbered in the order of their issue signed by the president or vice president and attested by the secretary or assistant secretary of the board and designating the appropriation out of which the orders shall be paid The signature of the president or vice-president may be a facsimile signature Any township treasurer who shall pay out moneys in his hands except upon such orders or shall pay out moneys in excess of the appropriation shall be allowed no credit in the settlement of his accounts for the sum or sums so paid out nor shall he have any claim or right of action against the township therefor

Section 805 Powers as Tax Collector The township treasurer by virtue of his office as treasurer shall be tax collector He shall collect all county institution district township school [poor] and other taxes within such township levied by authorities empowered to levy taxes He shall in addition to the powers duties and responsibilities enumerated in this act have all the powers perform all the duties and be subject to all the obligations and responsibilities as are now by law vested in conferred upon or imposed upon collectors of the several classes of taxes hereinbefore mentioned

It is the purpose and intent of this section that no local taxes shall be collected in any township except by the treasurer of the township

Section 806 Oath [Bond for County Taxes Et Cetera] The treasurer of every township shall before he enters upon the duties of his office as collector of taxes for the county take and subscribe an oath of office and file the same in the office of the court of quarter sessions [and shall annually enter into a bond to the Commonwealth in not more than the amount of taxes charged and assessed in the county duplicates with at least two sufficient sureties or one trust or bonding company The bond shall be approved by the court of quarter sessions and shall be filed in the office of the clerk of said court The condition of the bond shall be that the treasurer shall well and truly pay over or account for the whole amount of taxes charged and assessed in the duplicates which shall be delivered to him This bond does not cover the collection and payment over of township or school taxes]

Section 807 Special Funds Penalty Whenever any moneys are collected in any township for any special purpose and are paid into the hands of the treasurer of such township it shall be unlawful for such treasurer to apply such moneys or any part thereof to any purpose

other than that for which such moneys were collected Every such misapplication shall be a misdemeanor Upon conviction of such offense the treasurer shall be punished by a fine of not less than the amount so misapplied or by imprisonment for not less than three months and not more than one year

Section 808 Depositories of Township Funds Selection Bonds The board of commissioners shall from time to time designate by resolution a depository or depositories for township funds Such depository or depositories shall be banks banking institutions or trust companies located in the Commonwealth

Depositories so designated shall upon receipt of notice of their selection as a depository of township funds either furnish a bond to secure payment of deposits of township funds and any interest to the township with a proper warrant to confess judgment in favor of the township secured by a surety company or individual sureties to be approved by the board of commissioners or deposit obligations of the United States [municipal or county bonds to be approved by the board of commissioners] or the Commonwealth of Pennsylvania or any political subdivision thereof to secure the payment of township deposits and any interest thereon Such surety bonds shall be in a sum to be fixed by ordinance or resolution at least equal to the probable greatest amount of such deposit at any one time The [current] market value of deposit bonds shall be at all times at least equal to [the amount] one hundred and twenty per centum of the amount of township funds [then on deposit with such depository] to be secured Such deposit bonds shall be accompanied by proper assignments or powers of attorney to transfer the same In the event of the failure of the depository to pay to the township the full amount of such deposits and interest thereon such bonds and the proceeds of sale thereof shall belong to the township until it shall receive therefrom the full amount of such deposits and interest thereon and the township shall have a prior standing as respects such bonds and be in all respects preferred by law

Nothing herein contained shall be construed to require a depository to furnish bond or collateral security to cover the amount of any deposit to the extent that the same is insured with the Federal Deposit Insurance Corporation

The township treasurer shall upon the designation and qualification of such depository or depositories immediately transfer thereto the township funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the township

No township treasurer complying with the provisions of this section nor his surety or sureties shall be chargeable with losses in township funds caused by the failure or negligence of such depository or depositories

Section 23 Sections 901 902 and 903 of said act are hereby reenacted revised and amended to read as follows

#### Article IX

##### Township Secretary

Section 901 Election of Secretary Salary The board of commissioners in townships shall elect a secretary who must be a qualified voter of the township and not a member of the board He shall act as secretary of the board shall be the official keeper of the minutes and shall perform such other duties as are prescribed by ordinance or resolution of the board He shall provide suitable books the cost of which shall be paid out of the township funds wherein he shall enter all matters of which he is required to keep a record His salary shall be fixed by ordinance or resolution

Section 902 Duties Penalty The secretary of a township shall keep a record of the appropriations made by the township commissioners and the amounts chargeable thereto He shall furnish to any person so requesting a statement showing the amount available for future charges against any appropriated fund Any secretary

who shall knowingly and wilfully furnish an incorrect statement shall [be guilty of a misdemeanor and] upon conviction thereof [shall] in a summary proceeding be sentenced to pay a fine of not more than [five] three hundred dollars and in default of the payment of such fine and costs of prosecution shall be imprisoned for thirty days

**Section 903 Records Open to Inspection** The minute book and other records and documents of every township shall be open to the inspection of any taxpayer thereof his her or its agent upon demand therefor at any time during business hours

**Section 24 Article X** and sections 1001 to 1019 inclusive of said act are hereby reenacted revised and amended to read as follows

#### Article X

##### Auditors

**Section 1001 Meetings General Duties Compensation** The auditors of townships shall meet [annually on the day following the day which is fixed by this act for the organization of the township commissioners and] on the Tuesday following the first Monday of January 1950 and on or before the fifteenth day of July of the year 1950 and of each year thereafter At each such meeting the auditors shall audit settle and adjust the accounts of the township commissioners township treasurer tax collector secretary and other officers and persons receiving and disbursing or authorizing the disbursement of the moneys of the township during the preceding temporary fiscal period or fiscal year The auditors shall make an audit of the dockets transcripts and other official records of the offices of the justice of the peace of the township to determine the amounts of fines and costs paid or due to the township All justices of the peace shall open and make available to the auditors their dockets transcripts records and all other official books or papers for the purpose of the audit Provided That in any case where a justice of the peace charges a fine contrary to ordinances or to any act which makes such fine payable to the township the said auditors have the power to surcharge such justices of the peace in any amount or amounts undercharged as set forth in said ordinances or act Two auditors shall constitute a quorum Each auditor shall receive six dollars (\$6) per diem for each day necessarily employed in the duties of his office to be paid out of funds of the township A day shall consist of not less than five hours in the aggregate In completing their audit the auditors shall not be employed more than the following number of days In townships having a population of less than three thousand twenty days in townships having a population of three thousand and more but less than ten thousand thirty days and in townships having a population of ten thousand and more forty days

**Section 1002 Subpoenas Power to Administer Oaths Penalty** The auditors of each township may issue subpoenas to obtain the attendance of the officers and persons whose accounts they are required to adjust their executors and administrators and of any persons whom it may be necessary to examine as witnesses and to compel their attendance by attachment in like manner as any court of common pleas may in cases pending before them and may also compel the production of all books vouchers and papers relative to such accounts Such subpoena and attachment shall be issued by a justice of the peace and be served and executed by a constable or any township auditor

The auditors of each township may administer oaths and affirmations to all persons brought or appearing before them whether accountants witnesses or otherwise All persons guilty of swearing or affirming falsely on such examination shall be guilty of perjury

**Section 1003 Surcharges Auditors' Report Publication of Financial Statements** The auditors shall complete their settlement and adjustment [within as short a time as

possible and] for the fiscal year 1949 on or before the 15th day of March 1950 and for the temporary fiscal period ending June 30th 1950 and for each fiscal year thereafter prior to the first day of September succeeding the end of the fiscal period to the first day of September succeeding the end of the fiscal period or fiscal year They shall file copies thereof with the secretary of the township the clerk of the court of quarter sessions [and] the Department of Internal Affairs [not later than the fifteenth day of April] and the Department of Highways not later than the fifteenth day of April in the year 1950 and for the temporary fiscal period ending June 30th 1950 and for each fiscal year thereafter on or before the first day of September succeeding the end of the fiscal period or fiscal year Any officer or person whose act or neglect has contributed to the financial loss of the township shall be surcharged by the auditors with the amount of such loss They shall within ten days after the completion of their report publish by advertisement in at least one newspaper of general circulation published in the township or if no newspaper is published therein then in one newspaper circulating generally in the township a concise financial statement setting forth the balance in the treasury at the beginning of the preceding fiscal period or year all revenues received during the fiscal period or year by major classifications all expenditures made during the fiscal period or year by major functions and the current resources and liabilities of the township at the end of the fiscal period or year the gross liability and net debt of the township the amount of the assessed valuation of the township the assets of the township with the character and value thereof the date of the last maturity of the respective forms of funded debt and the assets in the sinking fund Such publication shall be deemed compliance with the provisions of the Municipal Borrowing Law which requires the corporate authorities of townships of the first class to publish an annual statement of indebtedness The auditor's report and financial statement shall be made on uniform forms prepared and furnished as provided in section 1701A of this act The auditor's report and financial statement shall be signed by all of the auditors and the auditor's report shall be duly verified by the oath of one of the auditors Any auditor refusing or wilfully neglecting to file an auditor's report shall upon conviction thereof in a summary proceeding [brought at the instance of the Department of Internal Affairs] be sentenced to pay a fine of five dollars for each day's delay beyond the time fixed herein for the filing of such report and costs All fines recovered shall be for the use of the Commonwealth

**Section 1004 Canceling Orders** The auditors shall cancel all orders and vouchers presented to them which they find have been paid by writing the word "audited" on the face thereof

**Section 1005 Penalty for Failure to Perform Duty** Any auditor neglecting or refusing to comply with the preceding provisions of this article shall pay a penalty of one hundred dollars to be recovered by suit instituted in the name of the township upon the complaint of any taxpayer in the same manner as debts of like amount are recoverable Any penalty recovered shall be paid into the treasury of the township

**Section 1006 Employment and Compensation of Attorney** The auditors in case of a disagreement with any official or board of officials whose accounts they are required to audit may employ an attorney Such attorney shall not be employed until reasonable effort to reach an agreement has been made and only after notice of their intention so to do has been given to said official or board of officials The compensation for such attorney shall be fixed by the auditors and shall not exceed [the sum of ten dollars per day nor total in any case more than] thirty dollars unless [when] an appeal is taken to the courts in which case the court shall fix the additional compensation for the attorney The compensation for said attorney shall be paid out of the general fund

[the settlement of which is in dispute] by a warrant drawn by the auditors upon the township treasurer [of such fund immediately upon the final settlement of the account]

**Section 1007 Balances Due to Be Entered as Judgments** Any balance in any report of the auditors against any officer of the township shall constitute a surcharge against such officer as fully as if expressly stated in said report to be a surcharge [and the amount of any balance and of any express surcharge shall unless appealed from within thirty days as hereinafter provided be entered by the prothonotary as a judgment against such officer and in favor of the township] Unless an appeal is taken as hereinafter provided the auditors shall direct the clerk of the court of quarter sessions to certify the amount of every such balance or surcharge [contained in any such report] to the court of common pleas [for entry thereof by] and the prothonotary shall enter the same as a judgment against such officer and in favor of the township

**Section 1008 Collection of Surcharges [by Taxpayers]** The auditors or any registered elector or taxpayer of the township may enforce the collection [thereof] of a judgment entered for a surcharge for the benefit of the township by any appropriate action or execution upon filing in the court of common pleas a bond with one or more sureties (in the case [only] of a registered elector or taxpayer) conditioned to indemnify the township from all costs which may accrue in the proceedings undertaken by such registered elector or taxpayer subject however to all rights of appeal from the report of the auditors granted by this article

**Section 1009 Appeals from Report** The township or any registered elector or taxpayer thereof on its behalf or any officer or person whose account is settled or audited by the township auditors may appeal from any settlement or audit to the court of common pleas within forty-five days after the settlement has been filed in the court of quarter sessions

**Section 1010 Appeal Bond** No appeal by a registered elector or taxpayer or officer shall be allowed unless the [applicant] appellant shall enter into a recognizance to prosecute the same with effect and to pay all cost accruing thereon in case if the appellant be registered elector or taxpayer he shall fail to obtain a final decision more favorable to the township than that awarded by the auditors or in case the appellant be an accounting officer he shall fail to obtain a final decision more favorable to the officer than that awarded by the auditors

**Section 1011 Intervention by Taxpayers** Whenever an appeal has been taken from the report of the auditors by the township or by any person charged in such report with any sum of money any registered elector or taxpayer of the township may intervene in such appeal and either prosecute the same on its behalf or defend it against the appeal of the person so charged No registered elector or taxpayer shall intervene unless he shall file in the court of common pleas a bond with one or more sufficient securities conditioned to indemnify the township against all costs accruing by reason of such intervention

**Section 1012 Consolidation of Appeals** When more than one appeal from the report of the auditors is taken whether by the township an officer or officers thereof or by a registered elector or taxpayer the court may on its own motion and shall upon petition of any party interested direct that the several appeals [to] be [disposed of in a single proceeding] consolidated

**Section 1013 Testimony and Argument** Any person interested may order the appeal upon the argument list and evidence may be taken [before any person authorized to administer oaths upon rule for that purpose served upon the opposite party] by disposition

**Section 1014 Framed Issues** Whenever any matter of fact is in dispute the court of common pleas is authorized to frame an issue for the trial thereof

**Section 1015 Prima Facie Evidence** The accounts of the officer [or officers] in question may be investigated denovo The figures and facts found and stated by the auditors in their report of audit shall be taken as prima facie correct as against any such officer and the burden shall be upon each officer whose accounts are in question to establish the validity of the credits which he claims

**Section 1016 Judgment After hearing** the court shall file its findings of fact and law and enter judgment in accordance therewith and the judgment so entered may be enforced by any appropriate proceedings by [the party prevailing] any auditor officer registered elector or taxpayer of the township

**Section 1017 Costs** In all cases of appeal from the report or audit of the township auditors to the court of common pleas the costs shall abide the event of the suit as in other cases

**Section 1018 Appeals** Any person interested may except to the ruling of the courts and may appeal therefrom to the Superior or Supreme Court as in other cases

**Section 1019 Counsel Fees** When an appeal is taken from the township auditor's report or settlement of the accounts of any public officer in accordance with the laws relating thereto and such appeal results favorably to the appellants in such a manner that money is recovered from any township the court hearing such appeal shall make an order to pay a counsel fee [which it deems just and reasonable to the counsel representing such appeal out of the funds so recovered]

[This section shall apply to all such cases now pending or hereafter brought in any court of this Commonwealth]

**Section 25 Sections 1101 1102 1103 1104 1105 1106 1107 1108 and 1109 of said act are hereby reenacted amended and revised to read as follows**

## Article XI

### Controller

**Section 1101 Oath and Bond of Controller** The township controller where such office has been created shall before entering upon the duties of his office take and subscribe the oath prescribed by this act for township officers and shall give bond to the township with two or more sureties or with a surety company to be approved by the board of commissioners in the sum of twenty thousand dollars conditioned for the faithful discharge of his duties and to adequately protect the township from any illegal or unfaithful action by the controller The cost of such bond shall be paid by the township

The township controller may at the instance of a taxpayer and by rule upon him for that purpose be compelled to justify his bond as to the amount thereof and the responsibility of the sureties before the court of common pleas

**Section 1102 Salary of Controller** The salary of the controller shall be fixed by ordinance In townships having a population of fifty thousand or more the salary of the controller shall not exceed [four] five thousand dollars In townships having a population of forty thousand or more but less than fifty thousand inhabitants the salary of the controller shall not exceed [thirty-six] forty-five hundred dollars In townships having a population of thirty thousand or more but less than forty thousand inhabitants the salary of the controller shall not exceed [twenty-four hundred] three thousand dollars In townships having a population of twenty thousand or more but less than thirty thousand inhabitants the salary of the controller shall not exceed one thousand [five hundred] eight hundred seventy-five dollars In townships having a population of fifteen thousand or more but less than twenty thousand inhabitants the salary of the controller shall not exceed [twelve] fifteen hundred dollars In townships having a population of ten thousand or more but less than fifteen thousand inhabitants the salary of the controller shall not exceed [nine hundred] eleven hundred twenty-five dollars In townships having a population of less than ten thousand and not less than

five thousand the salary of the controller shall not exceed [seven hundred] one thousand and fifty dollars In townships having a population of less than five thousand and not less than twenty-five hundred the salary of the controller shall not exceed [five hundred] six hundred twenty-five dollars In townships having a population of less than two thousand five hundred the salary of the controller shall not exceed three hundred seventy-five dollars

**Section 1103 General Powers and Duties of Controller May Require Attendance of Witnesses Penalty** The township controller shall superintend the fiscal affairs of the township He shall examine audit and settle all accounts whatsoever in which the township is concerned either as debtor or creditor where provisions for the settlement thereof are made by law and where no such provisions or an insufficient provision has been made he shall examine such accounts and report to the board of commissioners the facts relating thereto with his opinion thereon

In the examination audit and settlement of accounts the controller shall have all the powers and perform all of the duties vested in and imposed on the auditors by this act He shall make and file an annual or fiscal period report of his audit and make and publish the annual or fiscal period financial [report] statement in the same form and manner and at the same time as in this act required of the auditors

The township controller shall have supervision and control of the accounts of all departments bureaus and officers of the township authorized to collect receive or disburse the public moneys or who are charged with the management or custody thereof He shall audit their respective accounts and may at any time require from any of them a statement in writing of any moneys or property of the township in their hands or under their control [and] showing the amount of cash on hand and the amount deposited in banks and banking institutions together with the names of such institutions He shall have power to examine every such account of a township officer in any bank or banking institution to verify the accuracy of the statement of such township department bureau or officer and it shall be the duty of every such bank and banking institution its officers and agents to furnish full information to the controller in relation to such account No banker or banking institution its officers or agents shall be subject to prosecution under other laws of this Commonwealth for disclosing any such information with respect to any such account [he] He shall immediately upon the discovery of any default irregularity or delinquency report the same to the board of commissioners He shall also audit and report upon the account of any such officer upon the death resignation removal or expiration of the term of the said officer

In the making of any audit or settlement and in the authentication of any account or claim or demand against the township the controller of any township shall have the same power and authority to obtain the attendance before him of parties and witnesses and the production of books and papers and to administer oaths and affirmations as are given by law to [county and] township auditors All persons guilty of swearing or affirming falsely before him shall be liable to the penalty for perjury

**Section 1104 Controller to Countersign Warrants** The township controller shall countersign all warrants upon the township treasurer the form thereof to be prescribed by the board of commissioners but no warrant shall be countersigned unless there is sufficient unencumbered money in the respective appropriation item to pay the same Whenever a warrant on the treasurer shall be presented to the controller to be countersigned the person presenting the same shall if the controller require produce evidence

1 That the amount expressed in the warrant is due to the person in whose favor it is drawn

2 That the supplies or services for payment of which

the warrant is drawn have been furnished or performed according to law and the terms of the contract

**Section 1105 Controller to Prevent Appropriation Over Drafts** The township controller shall not permit any appropriation made by the board of township commissioners to be overdrawn Whenever an appropriation is exhausted the object of which is not complete he shall immediately report the fact to the board of commissioners and accompany such report with a statement of the moneys which have been drawn on such appropriation and the particular purpose for which they are drawn

**Section 1106 Amount of Contracts to Be Charged Against Appropriations** Every contract involving appropriation of money shall designate the item of appropriation on which it is founded and the estimated amount of the expenditure thereunder shall be charged against such item and so certified by the township controller on the contract before it shall take effect as a contract and the payment required by such contract shall be made from the fund appropriated therefore If the controller shall certify any contract in excess of the appropriation made therefor the township shall not be liable for such excess but the controller and his sureties shall be liable for the same which may be recovered in an action at law by the contracting party aggrieved It shall be the duty of the controller to certify contracts for the payments of which sufficient appropriations have been made

**Section 1107 Management and Improvement of Township Finances** The township controller shall as after as he may deem expedient or the board of commissioners shall direct suggest plans to the board of commissioners for the management and improvement of the township finances

**Section 1108 Books to Be Kept by Controller** The township controller shall keep a regular set of books in which shall be opened and kept as many accounts under appropriate titles as may be necessary to show separately and distinctly all the estates and property whatsoever real and personal vested in the township all trusts in the care of the same all debts due and owing the township all receipts and expenditures of the various departments of the township government and all appropriations made by the board of commissioners and the sums under the same respectively

**Section 1109 Appeals from Controller's Report Bond Procedure on Appeal** [It shall be lawful for the township or any taxpayer thereof on its behalf or any officer against whom any sum shall be charged in the report of audit by the controller as filed in the office of the clerk of the court to appeal therefrom to the court of common pleas within thirty days after the same shall be filed in the prothonotary's office The appeal shall be filed in the same number and term in which the report has been filed If the appellant is a taxpayer or any officer charged as aforesaid he shall file a bond with one or more sufficient securities conditioned to pay all costs thereafter accruing in case a decision more favorable to the party on whose behalf the appeal shall be taken than that contained in the report of audit shall not be obtained

In case any appeal shall be taken as aforesaid the same may be placed upon the argument list of said court by either party Testimony and evidence as to the accounts of any such officer may be taken before said court or by depositions as the court may direct in the course of which the said accounts may be investigated de novo and the burden shall be upon each officer whose accounts are involved in the appeal of establishing by evidence from original sources his right to credits claimed by him but the opposing party in such appeal may use any facts figures or findings of the report of audit as prima facie evidence against any officer Appeals may be taken from the settlement and audit of the controller as shown in the controller's report to the court of common pleas of the county by the same persons in the same manner within the same time subject to the same conditions and procedure and with like effect in every re-

spect as in this act provided in the cases of appeals from the settlement and audit of the auditors as shown in their report

Section 26 That sections 1110 1111 and 1112 of said act are hereby repealed

Section 27 Section 1113 of said act is hereby renumbered so as to be section 1110 and is reenacted revised and amended to read as follows

Section [1113] 1110 Controller to Retain Books Documents Et Cetera Pending Appeals Every township controller shall retain in his possession during the [thirty] forty-five days' period elapsing between the date of filing his report and the expiration of the time for filing the appeal therefrom all books documents vouchers checks and other papers which have been procured before him in the course of his audit of the accounts of township officers and if any appeal shall be taken shall continue to hold the same for production in the proceeding to determine the appeal

Section 28 Article XII and sections 1201 1202 1203 and 1204 of said act are hereby reenacted revised and amended to read as follows

#### Article XII

##### Township Solicitor

Section 1201 Election Vacancies The board of commissioners [on the first Monday of January] at the commencement of the fiscal year in any even-numbered year or as soon thereafter as practicable may elect by a vote of a majority of the members one person learned in the law who shall be styled the township solicitor and who shall serve for the term of two years [from the first Monday of January of the even-numbered year in or succeeding which he was elected] and until his successor qualifies The compensation of the solicitor shall be fixed by the board of commissioners [and shall not exceed five thousand dollars per annum] Vacancies in the office of township solicitor shall be filled by the board of commissioners for the unexpired term

Section 1202 Bond The township solicitor shall if the board of commissioners so requires give a bond to the township with two or more sureties or one [trust or] bonding company to be approved by the board of commissioners in such sum as it shall be ordinance or resolution direct conditioned for the faithful performance of his duty

Section 1203 Solicitor to Have Control of Law Matters The law matters of the township shall be under the superintendence [discretion] direction and control of the township solicitor [and no] No official or official body of the township except as herein other provided shall employ an additional counsel without the assent or ratification of the board of commissioners

Section 1204 Duties of Solicitor The township solicitor shall prepare such bonds obligations contracts leases conveyances and assurances to which the township or any department thereof may be a party as may be directed by ordinance or resolution he shall commence and prosecute all actions brought by the township for or on account of any of the estates rights trusts privileges claims or demands as well as defend all actions or suits against the township or any officer thereof wherein or whereby any of the estates rights privileges trust ordinances or accounts of the township may be brought in question before any court in the Commonwealth and shall do every professional act incident to the office which he may be authorized or required to do by the board of commissioners or by any ordinance or resolution He shall whenever required furnish the board of commissioners and the committees thereof with his opinion in writing upon any question of law which may be submitted by any of them in their official capacities

Section 29 Article XIII and sections 1301 1302 1303 1304 1305 1306 1310 1311 1312 1314 and 1315 of said act are hereby reenacted revised and amended to read as follows

#### Article XIII

##### Township Engineer

###### (a) General Provisions

Section 1301 Election of Township Engineer Term Filling of Vacancies The board of commissioners [on the first Monday of January] at the commencement of the fiscal year in any even-numbered year or as soon thereafter as may be practicable may elect by a vote of a majority of the members one person as township engineer who shall be a registered civil engineer He shall serve for a term of two years [from the first Monday of January of the even-numbered year in or succeeding which he was elected] and until his successor qualifies The board of commissioners shall fix the compensation of the engineer vacancies in the office of the township engineer shall be filled by the board of commissioners for the unexpired term

Section 1302 Bond The township engineer shall if the board of commissioners so requires give a bond to the township with two or more sureties or one [trust or] bonding company to be approved by the board of commissioners in such sum as it shall by ordinance or resolution direct conditioned for the faithful performance of his duty

Section 1303 Control of Engineering Matters The township engineer shall have the superintendence direction and control of the engineering matters of the township [and no] No department or officer of the township shall employ or retain any additional engineer except with the consent and ratification of the board of commissioners

Section 1304 Duties Preparation of Plans The township engineer shall perform such duties as the board of commissioners shall prescribe as to the construction reconstruction maintenance and repair of all streets [roads pavements sewers] bridges culverts and other engineering work He shall prepare plans specifications and estimates of all such work undertaken by such township and shall whenever required furnish the board of commissioners and the committees thereof with reports information or estimates on any township engineering work or on questions submitted by any of them in their official capacity

Section 1305 Certificate of Commencement and of Completion of Municipal Improvements The township engineer shall immediately after the completion of any municipal improvement the cost of which in whole or in part is to be paid by the owner of the abutting property make certificate in which he shall state the day or time on which the particular improvement was completed and shall file the same with the township secretary who shall enter the said day or time of completion of the work in a book to be kept by him for said purpose [and the] The said day or time mentioned in said certificate shall be conclusive on all parties as to the time the said work was completed The time of completion of the work referred to in this section and in other parts of this act shall be taken to mean the name of the completion of the whole contract for the improvement He shall also furnish to the township secretary a certificate showing the time at which any such particular improvement was commenced and such certificate shall be conclusive evidence of the time when the said improvement was begun [and an] An entry of such date shall be made by said secretary in the book aforesaid

Section 1306 Surveys The township engineer shall have the charge and direction of all surveys and regulations authorized by any act of Assembly or ordinance of such township

###### (b) Real Estate Registry

Section 1310 Provisions for Registration of Real Estate For the purpose of procuring accurate information in reference to the ownership of all real estate the board of township commissioners may provide by ordinance for the registry thereof in the manner following

**Section 1311 Preparation of Books Plans and Maps** The township engineer of any township in which such registry shall be established [as aforesaid] shall cause to be made all such necessary books maps and plans as will show the situation and dimensions of each property therein which books maps or plans shall be so prepared as to show the house number if any the name of the owner or owners thereof with blank spaces for the owner of each lot with provision for the names of future owners and dates of future transfer of title For such purpose the township engineer shall have free access without charge to any of the public records wherein the necessary information may be obtainable therefor He may also cause search to be made in any other place for any muniments or evidence of title not reported to him as hereinafter provided and requisite for the completion of such books maps or plans

**Section 1312 Preservation of Records** The said books maps and plans shall be carefully preserved in the office of the engineer of said township and shall be so kept by additions from time to time or otherwise as to show the ownership of every lot or piece of real estate or subdivision thereof within the township limits with the successive [transmissions] transfers of title from the date of the commencement of such plans but nothing therein or in this article shall invalidate any municipal or tax claim by reason of the fact that the same is not assessed or levied against the registered owner

**Section 1313 Certified Copies of Entries Admissible as Evidence** Certified copies under the hand of the said engineer of any of the entries in said books or upon said maps or plans shall be received in evidence in the same manner as the books maps and plans themselves might be admissible for such purposes and may be also furnished to any person desiring the same for such fee or compensation for the purpose of the township as may be fixed by ordinance

**Section 1314 Duties Imposed on Owners of Real Estate When Registry Established** Penalty All owners of unregistered real estate within the township limits within one month from the date of the approval of the ordinance establishing such registry and every subsequent purchaser and every devisee or person acquiring title by partition or otherwise to any real estate therein within one month after acquiring such title shall furnish to the said engineer at his office descriptions of their respective properties upon blanks furnished by the township and at the same time present their conveyance to be stamped by said engineer without charge as evidence of the registration thereof Any person or persons neglected or refusing to comply with the provisions of this section for a period of thirty days after public notice of the requirements thereof shall be liable to a penalty of five dollars to be recovered with costs of suit in the name and for the use of the township as penalties for the violation of township ordinances are recoverable Provided however That such registration may within said thirty day period be also effected by the Recorder of Deeds of the county in accordance with existing law

**Section 1315 Registry of Properties Sold at Judicial Sales** Duty of County Officers The sheriffs of the respective counties in which such townships are situated shall present for registry the deeds of all properties within the township limits sold by them at judicial sales whether by execution or in partition or otherwise and the prothonotaries and recorders of deeds of such counties shall not admit for record any deeds of any property in such township bearing a date subsequent to the approval of an ordinance providing for the establishment of such registry unless the same shall first have been duly stamped as hereinbefore provided

**Section 30 Article XIV and section 1401 1402 1403 1404 1405 1406 1407 1408 1409 1410 1411 1412 1413 and 1414** of said act are hereby reenacted revised and amended and section 1415 is added to said article as follows

## Article XIV

### Police

**Section 1401 Appointment Compensation and Training of Policemen** The board of township commissioners shall subject to the civil service provisions of this act appoint and fix [by ordinance or resolution] the number rank and compensation of the members of the township police force No policeman shall at the same time hold any public office other than constable and health officer The board of commissioners shall prescribe all necessary rules and regulations for the organization of the police force The board may assign the chief of police or any other member of the force to undergo a course of training at any training school for policemen established and made available by the State or Federal Government and may provide for the payment by the township of his expenses while in attendance in such training school

**Section 1402 Chief of police and Other Officers** The board of commissioners may designate the superintendent or the chief of police and other officers who shall serve until their successors are duly designated and qualified

**Section 1403 Powers of Policemen** Policemen shall be ex-officio constables of the township and may without warrant and on view arrest and commit for hearing any and all persons guilty of a breach of peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any of the ordinances of the township for the violation of which a fine or penalty is imposed

**Section 1404 Service of Process Fees** Policemen shall have authority to serve and execute all criminal process for the violation of the township ordinances which may be issued by any justice of the peace of the township and shall charge the same fees and costs as pertain by law to constables for similar services but such fees and costs shall be paid to the township treasurer for the use of the township

**Section 1405 Supervision of Police** The Chief of police and policemen shall obey the orders of the board of township commissioners or such other person or committee as may be designated by ordinance or resolution of the board for such purposes

**Section 1406 Keepers to Receive Prisoners** The keepers of jails lockups and station-houses shall receive all persons arrested by policemen for the commission of any offense against the laws of the Commonwealth or the ordinances of the township

**Section 1407 Badge** The police when on duty shall wear a badge or shield with the words "Township Police" and the name of the township inscribed thereon

**Section 1408 Not to Receive Fees** Townships employing policemen shall pay to all such policemen a fixed or stipulated salary It shall not be lawful for any such policemen to charge or accept any fee or other compensation in addition to his salary for any service rendered or performed by him of any kind or nature whatsoever pertaining to his office or duties as a policeman except public rewards and the expenses incurred in the discharge of his duties

**Section 1409 Establishment of Police Pension Fund** Management Townships may by ordinance establish a police pension fund to be maintained by an equal percentage charge against each member of the police force not exceeding annually four per centum of the pay of such member The fund shall be under the direction of the township commissioners or such committee as they may designate and shall be applied under such regulations as the commissioners may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service Any allowances made to those who are retired by reason of disability or age shall be in conformity with a uniform scale

Section 1410 Minimum Service for Retirement The ordinance establishing the police pension fund may prescribe a minimum period of continuous service not less than twenty years and an age limit after which members of the force may be retired from active duty and may be entitled to benefits of such fund Policemen so retired shall be subject to service as police reserves until unfitted for such service by reason of age or disability when they may be finally discharged

Section 1411 Retirement Allowance The basis of the apportionment of the pension shall be determined by the rate of monthly pay of the member at the date of death honorable discharge or retirement and shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate

Section 1412 General Funds of Township not Liable Payments made for retirement allowances shall be a charge on no other fund in the treasury of the township or under its control other than the police pension fund

Section 1413 Township Appropriations Gifts Management Any township may make contributions to the police pension fund and may take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of such police pension fund The care management investment and disposal of such trust funds or property shall be vested in such officers as the township commissioners shall by ordinance direct and shall be governed by such officers subject to any directions not inconsistent therewith as the donors of such funds and property may prescribe Any township may also make contributions to any incorporated police pension fund extending retirement benefits to police officers of the township subject to such conditions as the township commissioners may impose

Section 1414 Reasons for Denying Retirement Allowance No person participating in such police pension fund established by ordinance and becoming entitled to receive a benefit therefrom shall be deprived of his rights except for failing to comply with some general regulation relating to the management of such fund which may be made by ordinance and which provides that a failure to comply therewith shall terminate the right to participate in the pension fund after such notice and hearing as it shall prescribe

Section 1415 Annuity Contracts in Lieu of Police Pension Fund Townships may provide annuity contracts for the purpose of paying pensions or annuities to the members of the police force who receive honorable discharge therefrom by reason of age or disability and the families such as may be injured or killed in service

Section 31 Article XV and Sections 1501 and 1502 of said act and the various existing clauses of said section are hereby reenacted revised and amended to read as follows

#### Article XV

##### Corporate Powers

Section 1501 Suits Property Townships of the first class may I Sue and be sued [by the name of the Township of]

II [Acquire] Purchase acquire by gift or otherwise hold lease let and convey such real and personal [estate as the purpose of the township shall require] property as shall be deemed to be to the best interest of the township Such real and personal estate shall be taken and held only for the benefit of the inhabitants of the township and for such objects and purposes as township rates and levies are authorized by law to be laid for

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

I Ordinances and Resolutions To adopt resolutions and ordinances prescribing the manner in which powers of the township shall be carried out and generally regulating the affairs of the township All such ordinances unless otherwise provided by law shall be published at least once in one newspaper of general circulation in the

township Such ordinance shall not become effective until ten days after the publication aforesaid In any case in which maps plans or drawings of any kind are adopted as part of an ordinance the commissioners may instead of publishing the same as part of the ordinance refer in publishing the ordinance to the place where such maps plans or drawings are on file and may be examined In the adoption of any ordinance setting up a building code plumbing code or other code complete in itself for the regulation of any trade occupation or line of activity or undertaking it shall not be required (this or any other law to the contrary notwithstanding) in publishing such ordinance to publish such code in full but shall be sufficient compliance with this act in such publication to set forth briefly the substance of such proposed code and to give notice of the place where such code is on file and may be examined

Complaint as to the legality of any ordinance or resolution may be made to the court of quarter sessions upon entering into bond with sufficient security to be approved by the court to prosecute the same with effect and for the payment of costs by any person aggrieved within thirty days after any ordinance or resolution takes effect The determination and the order of the court thereon shall be conclusive In cases of the laying out of streets over private property the court shall have jurisdiction to review the propriety as well as the legality of the ordinance

II Fines for Violation of Ordinances To prescribe fines and penalties not exceeding three hundred dollars in any instance for the violation of township ordinances which fines and penalties may be collected by suit brought in the name of the township before any justice of the peace in like manner as debts of like amount may be sued for by existing laws and to remit such fines and penalties

III Officers Positions and Departments To create any office position or department which may be deemed necessary for the good government and interests of the township to fix the compensation of persons appointed thereto and to employ the township assessor and any assistant township assessor to perform work for the township in connection with the assessment and valuation of property and occupations for taxation purposes or to perform other work when not engaged for the county and to fix their compensation payable by the township

IV Township Manager To create by ordinance the office of township manager and in like manner to abolish the same

The powers duties term of office and compensation of the township manager shall be regulated by ordinance The commissioners may delegate subject to recall any of their respective non-legislative and non-judicial powers and duties to the township manager He shall if required by the township commissioners give a bond to the township with one or more sureties or one bonding company to be approved by the commissioners in such sum as it shall by ordinance or resolution direct conditioned for the faithful performance of his duties

V Police Force To establish equip and maintain a police force and to define the duties of the same

VI Lockups and Commitments To provide for the erection or purchase of lockups in the township for the detention and confinement of vagrants and persons arrested by the police officers until the persons so arrested by the police officers until the persons so arrested can be taken before a justice of the peace for hearing but no person shall be detained therein for a longer time than twenty-four hours (Sunday excepted) except upon order of a justice of the peace legally authorized who may commit any such person for further hearing

VII Committing Magistrate To designate from time to time one of the justices of the peace to sit at the police station or town hall as a committing magistrate

VIII Vagrants To arrest and confine and to set to work on the [roads] streets or elsewhere all vagrants found in the township

IX Disorderly Practices To define and prohibit disorderly practices within the limits of the township

X Public Safety To take all needful means for securing the safety of persons or property within the township

XI Road Implements To purchase tools implements machinery timber and materials necessary for the making paving and repairing of streets [highways] and sidewalks and other public work to employ sufficient number of laborers to make and repair the same and to lease or lend such tools implements and machinery to other townships boroughs or cities

XII Lights To establish lights along the streets and highways [including State and county highways] whenever deemed expedient [and on and along State highways and county highways running through such townships] No such lights shall be established upon State highways until a permit has first been obtained from the State Department of Highways or upon county highways until a permit has first been obtained from the county commissioners

XIII Lighting Assessments On the petition of the owners of a majority of the lineal feet frontage along any street or highway or portion thereof in any village within the township to enter into contracts with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said village wit electric light gas light or other illuminant

The township commissioners shall annually assess or cause to be assessed the cost and expense of the maintenance of said lights by an equal assessment on all property benefited by such lighting in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The township commissioners may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five per centum (25%) of the assessment per front foot against property with improvements thereon All such assessments for street lighting shall be filed with the township treasurer who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The township treasurer shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township tax If the assessments or any of them remain unpaid at the expiration of a period not exceeding ninety days the exact time to be fixed by the township commissioners they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum (5%) as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep all such assessments collected for lighting the streets and highways in a separate account and pay out the same only upon orders signed by the president or vice president of the township commissioners attested by the secretary or assistant secretary The treasurer shall make a report to the auditor or controller of the township annually

[XIII.I] Ornamental Standards for Street Lighting On the petition of the owners of seventy-five per cent of

the lineal feet frontage along any street or highway or portion thereof in any village within the township to provide for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor along such street or highway or the portion thereof affected and to enter into contracts with electric gas or other lighting companies to furnish and install such standards with the fittings and wiring therefor

The township commissioners shall assess or cause to be assessed the cost and expense of the furnishing and installation of said standards fittings and underground wiring by an equal assessment on all property benefited by the furnishing and installation of such standards fittings and underground wiring in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The township commissioners may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands All such assessments for the cost of furnishing and installation of such standards fittings and underground wiring shall be filed with the township treasurer who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The township treasurer shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township tax If the assessments or any of them remain unpaid at the expiration of a period not exceeding ninety days the exact time to be fixed by the township commissioners they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum (5%) as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment all such lots may be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep all such assessments collected in a separate account and pay out the same only upon orders signed by the president or vice president of the township commissioners attested by the secretary or assistant secretary The treasurer shall make a report to the auditor or controller of the township annually until all of such assessments are paid in full

XIV Water Supplies To enter into contract with any person or corporation to supply water for fire protection and other purposes for a period not exceeding twenty years No such contract shall be exclusive as against the right of any other water company nor interfere with the right of such township to erect maintain and operate its own waterworks

XV Fire and Water Districts Bond Issues and Taxes To create by ordinance fire and water districts in any portion or portions of townships when in their opinion the same is necessary for the safety and convenience of the inhabitants of said township to issue bonds restricted to the districts so created for the purpose of procuring and maintaining the necessary supply of water to said district and to levy such special tax restricted to said district as may be necessary to redeem any bonds so issued In lieu of the foregoing provisions relating to the issue of bonds the township commissioners may charge for any such water supply by an assessment of a special water or fire tax on all surface properties located in the water or fire district which tax shall be based on the assessment for county purposes as established for gen-

eral taxation Such tax may levied for a single year or for a term of years as the township commissioners may determine but in the case of fire districts shall not exceed two mills per annum and shall be collected in the same manner as other taxes Provided also That in lieu of the foregoing provisions that in all cases where said township shall have established a water system and shall construct main water lines in said township the board of township commissioners may charge the cost of construction of any municipal water lines or lateral lines upon any streets [alleys and thoroughfares] or highways adjacent to main lines or such portion of the cost of construction as the board may deem proper upon the properties benefited or accommodated thereby The ordinance providing for such charge shall be adopted by the board within six months from date of the final completion of such system of water lines Said charges shall be assessed and collected in the manner provided in this act for the assessment and collection of charges for the construction of sewers

XVI Fire Regulations To make regulations within the township or within such limits as may be deemed proper relative to the cause and management of fire and the prevention thereof to [take measures for the extinguishment of fires either by making annual appropriations towards the maintenance of fire companies or in such other manner as said board of commissioners may deem proper] purchase or contribute to the purchase of fire engines and fire apparatus for the use of the township and to appropriate money to fire companies for the operation and maintenance thereof and for the construction repair and maintenance of fire company houses to ordain rules and regulations for the government of such fire companies and their officers and to regulate the method to be followed in the extinguishment of fires [to purchase and maintain apparatus for the extinguishment of fires and to make rules and regulations for the management of same]

XVII Fire Houses To provide and maintain suitable places for the housing of engines hose carts and other apparatus for the extinguishment of fire No such building shall be erected or maintained without obtaining the assent of the electors thereof expressed at an election to be held at the place time and under the same regulations as provided by law for the holding of municipal elections [At such election the judges inspectors and clerks shall receive ballots from the electors which shall be prepared in the manner prescribed by the general election law In receiving and counting and in making returns of the votes cast the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating municipal elections and the vote shall be counted by the court as is now provided by laws for municipal elections The constables of the township by direction of the board of township commissioners shall issue proclamation ten days prior to date of the municipal election stating that the qualified electors will vote "For or against a fire-engine house"]

XVIII Building Regulations To prohibit or regulate the erection of wooden buildings in certain parts of the township and make regulations for the construction of new buildings and the alteration and repair of old ones and to require that before the work begins municipal approval of the plans and specifications therefor be secured to classify buildings or parts of buildings according to the use to be made of them to specify the mode of construction of such different classes of buildings and to require that before any use or occupancy be changed from any classification to a different classification as to which more stringent regulations are prescribed under the provisions of any ordinance relating thereto municipal approval of the plans and specifications therefor be secured

XIX Building Sanitation Regulations In addition to other remedies provided by law and in order to promote the public health safety morals and the general welfare

to enact and enforce suitable ordinances to govern and regulate the construction alteration repairs occupation maintenance sanitation lighting ventilation water supply toilet facilities drainage use and inspection of all buildings or parts of buildings constructed erected altered designed or used in whole or in part for human habitation and of the sanitation and inspection of land appurtenant thereto In case any building or structure is constructed reconstructed altered repaired converted or maintained or any building or land is used in violation of any ordinance enacted under authority conferred hereby the [corporate authorities of the township] board of township commissioners in addition to penalties provided by ordinances enacted [herewith] hereunder may institute appropriate actions or proceedings at law or in equity to prevent and restrain such unlawful construction reconstruction alteration repairs conversion maintenance or use and to restrain correct or abate such violation and to prevent the occupancy of said building or structure The ordinances enacted pursuant to this clause shall not be inconsistent with the provisions of any statute governing the same matter but all regulations prescribed by such ordinances which are additional or supplementary to the statute law and not inconsistent therewith or enacted for the purpose of carrying into effect the provisions of the statute law shall be valid and binding Such ordinances may adopt any standard building code published and printed in book form covering any or all of the above items without incorporating such building code in the ordinance or any township may enact such building code as its ordinance authorized under the provisions of this clause In either event such building code shall not be published or advertised in full as provided by this section in the case of the adoption of ordinances Provided That notice of the adoption of such standard building code as the building ordinance of the township together with a brief summary thereof setting forth the principal provisions of said ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Labor and Industry and a reference to the place or places within the township where copies of the building code adopted are deposited and may be examined shall be published in the manner provided by this section for the publication of ordinances Not less than three such copies shall be made available to public inspection and use during business hours for a period of not less than three months after the adoption of such building code

XX Building Inspectors To provide for the inspection of the construction and repair of buildings including the appointment of one or more building inspectors to prescribe limits wherein none but buildings of noncombustible material and fireproof roofs shall be erected or substantially reconstructed or removed thereinto to provide penalties for the violation of such regulations Any building erected reconstructed or removed contrary to the provisions of any ordinance passed for any of the purposes herein specified is declared to be a public nuisance and abatable as such

XXI Building Lines To establish by ordinance and maintain uniform building lines upon any or all public streets [roads] or highways [lanes and alleys] of the township

XXII Numbering Buildings To provide for and regulate the naming of streets [courts and public squares] and highways and to require and regulate the numbering of buildings

XXIII Insurance To make contracts with any fire insurance company association or exchange including mutual companies duly authorized by law to transact insurance business in the Commonwealth insuring any building or property of the township to make contracts with any insurance company insuring any public liability of the township [to make contracts with any insurer for workmen's compensation accident and health retirement and group insurance for the benefit of its employees who

may be required to contribute thereto including volunteer firemen killed or injured while going to or returning from or attending fires within the township or territory adjacent thereto and to expend public funds for all of these purposes and to make donations to funds for pensions and retirement allowances for the benefit of its employes] to appropriate such amount as may be necessary to secure insurance or compensation for volunteer firemen of companies duly recognized by the township by motion or resolution killed or injured while going to or returning or attending fires to make contracts of insurance with any insurance company association or exchange authorized to transact business in this Commonwealth insuring township employes or any class or classes thereof under a policy or policies of insurance covering workmen's compensation life health or accident insurance and to contract with any such company granting annuities or pensions for the pensioning of such employes and to agree to pay part or all of the premiums or charges for carrying such contracts and to appropriate moneys from the township treasury for such purposes

**XXIV Markets Market Houses and Peddling To regulate markets and peddling whether for individual use or for resale to provide and enforce regulations for markets and market houses whether for individual use or for sale or resale and to acquire and own ground for and to erect establish and maintain market houses and market places for which latter purposes parts of any streets or sidewalks may be temporarily used as specified by the township commissioners to contract with any person firm or corporation for the erection maintenance and regulation of market houses and market places on such terms and conditions and in such manner as the board of commissioners may prescribe to provide for the payment of the cost and expense of providing markets and market houses either in whole or in part from township funds and to levy and collect a license tax from every person who may be authorized to occupy any portion of said market houses or places**

**XXV Milk Inspection To provide for the inspection of milk and milk products and to make regulations concerning the character and kind of milk and milk products which may be sold**

**XXVI Nuisances To prohibit and remove any obstruction or nuisance in the streets and highways of the township to make regulations respecting pig pens slaughter houses manure pits drains dumps cesspools and similar conditions and to prohibit and remove any noxious or offensive manufacture art or business or dangerous structure or weeds or any other nuisance whatsoever on public or private grounds prejudicial to the public health or safety or to require the removal of the same by the owner or occupier of such grounds in default of which the township may cause the same to be done and collect the cost thereof together with a penalty of [twenty] ten per centum of such cost in the manner provided by law for the collection of municipal claims or by action of assumption without the filing of a claim or may seek relief by bill in equity**

**XXVII Garbage and Rubbish To make regulations relative to the accumulation of manure compost and the like to prohibit accumulations of garbage and rubbish upon private properties including the imposition and collection of reasonable fees and charges for the collection and removal thereof and to prescribe fines and penalties for the violation of such regulations and to provide by contract or otherwise for the collection removal and disposal through incinerating works garbage plants or otherwise of ashes garbage and rubbish and to prescribe penalties for the enforcement thereof Any such contract may be made for a period not exceeding three years To erect maintain and operate garbage or incinerating plants either within or without the limits of the township in order to provide for the destruction of garbage and other refuse material and to provide for the payment of the cost and expense thereof either in whole or part out of the funds of**

the township and to acquire and to maintain lands and places for the dumping of ashes and other refuse material

**XXVIII Inflammable and Explosive Articles To prohibit the manufacture sale or [exposure of fireworks and other] storage of inflammable and explosive articles to prescribe the quantities of inflammable and explosive articles that may be kept in any place and to prescribe such other safeguards as may be deemed necessary**

**XXIX Smoke Regulations To regulate the emission of smoke from chimneys smokestacks and other sources except locomotive smokestacks**

**XXX Animals To prohibit or regulate the running at large of [animals] dogs and in the enforcement of such regulations to direct the killing of dogs or their seizure and detention including reasonable charges therefor or to provide for their sale for the benefit of the township to prohibit and regulate the running at large of other animals and to authorize their seizure and detention including reasonable charges therefor and to provide for their sale for the benefit of the township**

**XXXI Amusements To regulate license and [prohibit shows circuses sports and amusements of all sorts] fix the time of opening and closing of or to prohibit theatrical exhibitions amusements and dances at which an admission or other fee is charged to regulate license and fix the time of opening and closing pool-rooms billiard-rooms shooting galleries skating rinks and bowling alleys and to license regulate or prohibit circuses**

**XXXII Party Walls and Fence Regulations To make regulations respecting foundations party walls and partition fences and to prescribe reasonable fees for the services of its officers and agents in the adjustment of party walls partition fences and the like and to enforce payment of the same**

**XXXIII Watering Troughs To erect watering troughs along the streets or highways [at an expense not exceeding twenty dollars each] and to keep the same in repair**

**XXXIV Motor Ambulances To acquire and to operate and maintain a motor ambulance for the purposes of conveying sick and injured persons of such [municipality] township and the vicinity to and from hospitals and for such purposes to appropriate and expend moneys of the township or to appropriate money annually towards a non-profit community ambulance service**

**XXXV Display of Flags To display the flag of the United States of the Commonwealth of Pennsylvania and of any county city borough or township on the public buildings or any property of the township**

**XXXVI Memorial Day Appropriations To appropriate moneys for the expenses of Memorial Day services**

**XXXVII Care of Memorials To maintain and keep in good order and repair at the expense of the township and it shall be their duty so to do any soldiers' monument gun or carriage or other similar memorial when there is not in existence any person body or organization to care for and maintain the same and when such memorials were not erected by the government of the United States the Commonwealth of Pennsylvania any other state or by the commissioners of any county and to receive from persons or organizations funds for such purposes**

**XXXVIII Soldiers' Cemeteries To purchase plots of ground in any cemetery or burial ground for the interment of such deceased service men who shall hereafter die within such township or shall die beyond such township and shall have a legal residence within such township at the time of their death and whose bodies are entitled to be buried by the county under the provisions of existing laws Such plots of ground shall be paid for out of the treasury of such township**

**XXXIX Appropriations to Civic Associations To annually appropriate a sum not exceeding two hundred dollars for the support of any voluntary association composed of electors of the several townships within such county or any of them which association is formed for the study and investigation of the welfare economics management and government of townships and for the**

protection and safeguarding of the rights and franchises of townships and for the purpose of recommending legislation beneficial to townships or any one or more of such purposes

**XL Armory Buildings** To appropriate money or convey land either independently or in connection with any county city town borough or township to the Commonwealth of Pennsylvania for the purpose of assisting the Armory Board of the Commonwealth in the erection of armories for the use of the National Guard and to furnish water light or fuel free of cost to the Commonwealth for use in any armory and to do all things necessary to accomplish the purposes of this clause

**XLI Land for Armories** To take by right of eminent domain for the purpose of appropriating to themselves for the use of the National Guard of Pennsylvania such public lands easements and public property as may be in their possession or control and used or held by them for any other purpose Such right however shall not be exercised as to any street or highway or wharf but all other public easements and property may be appropriated and used for the purpose herein provided any limitation of the use thereof by the township either by donation dedication appropriation statute or otherwise to the contrary notwithstanding

**XLII Land for Armory Purposes** To acquire by purchase or by gift or by the right of eminent domain any land for the use of the National Guard of Pennsylvania and to convey such lands so acquired to the Commonwealth of Pennsylvania to assist the Armory Board in the erection of armories The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is now provided by this act for the condemnation of lands The power conferred by this clause shall not be exercised to take any church property graveyard cemetery or any dwelling house or the curtilage of the same in the actual occupancy of the owner

**XLIII Junk Dealers Pawnbrokers Auctions [Etc]** To regulate and license junk dealers pawnbrokers hucksters peddlers vendors and public auctions and auctioneers and to regulate the establishment and maintenance of junk yards salvage yards and other places used and maintained for the collection storage and disposal of used and second-hand goods and materials

**XLIV [Fire Prevention]** To take measures for the prevention [of fires by inspecting regulating and abating fire hazards] Health and Cleanliness Regulations To make such regulations as may be deemed necessary for the health safety morals general welfare cleanliness beauty convenience and comfort of the township and the inhabitants thereof

**XLV Comfort and Waiting Stations and Drinking Fountains** To acquire property for the purposes of providing maintaining and operating thereon comfort and waiting stations and drinking fountains and to construct and maintain such stations and fountains on any of the streets or highways of the township

**XLVI Support of National Guard Units** To appropriate annually a sum not exceeding seven hundred and fifty dollars for the support and maintenance discipline and training of any dismounted company or similar unit of the National Guard and a sum not to exceed fifteen hundred dollars for the support and maintenance of any mounted or motorized troop or similar unit of the National Guard Where such units are organized as a battalion regiment or similar organization the total amount due may be paid to the commanding officer of the battalion regiment or similar organization Any moneys so appropriated shall be paid by warrant drawn to the order of the commanding officer of such company battalion regiment or similar organization only when it shall be certified to the township by the Adjutant General of the State that the said company or companies have satisfactorily passed the annual inspection provided by law

The moneys so appropriated shall be used and expended solely and exclusively for the support and maintenance discipline and training of the said company battalion regiment or similar organization and the commanding officer shall account by the proper vouchers to the said township each year for the expenditure of the money so appropriated and no appropriation shall be made for any subsequent year until the expenditure of the previous year is duly and satisfactorily accounted for

The accounts of such expenditures shall be subject to the inspection of the Department of Military Affairs and shall be audited by the Auditor General in the manner provided by law for the audit of accounts of State moneys

**XLVII Hospital Appropriations** For townships [of the first class] having a population of two thousand inhabitants and upwards to appropriate moneys for the support of any incorporated hospital which is engaged in charitable work and extends treatment and medical attention to the residents of such townships but no such appropriation shall exceed in any year the cost of free service extended to residents of the township which is in excess of any amount paid by the Commonwealth towards such free service and in no case more than the sum of one thousand dollars (\$1000)

**XLVII.I Appropriations to Veterans' Home Associations** To annually appropriate a sum not exceeding three hundred dollars for the support of any Veterans' Home Association which provides a home or club-house within the township for the use of United States War Veterans and which is not maintained in whole or in part by the United States or any governmental agency other than the township

**XLVIII Garbage and Treatment Works** [Separately or jointly] Jointly with one (1) or more municipalities to purchase any real property within or without the township limits [of any such township or municipality] and to erect and maintain garbage or incinerating furnaces and all appliances necessary therefor

**XLIX Parking and Parking Lots** To regulate parking and provide parking accommodations so as to promote the convenience and protection of the public to erect parking meters and to regulate parking meter charges To acquire by gift or purchase or the right of eminent domain lands for use as parking lots and to plan design locate hold construct improve maintain operate own or lease either in the capacity of lessor or lessee and install facilities and equipment including parking meters on any such land to be devoted to the parking of vehicles of any kind which in the judgment of the [corporate authorities] board of township commissioners may be necessary and desirable for the purpose of establishing and maintaining such parking lots and to regulate the use thereof Whenever any lands shall be acquired by any township for parking lots they may be operated by such townships as parking lots for parking vehicles only but not for the sale or distribution of any commodity or when so provided by ordinance or resolution they may be let to and for private operation as parking lots on such terms and conditions as may be prescribed

**[II.] L Airports** To acquire by lease or purchase or by exercising the power of eminent domain in the manner provided in article nineteen of this act any land lying either within or without the limits of the township which in the judgment of the [corporate authorities thereof] board of township commissioners may be necessary and desirable for the purpose of establishing and maintaining municipal airdromes aviation landing fields and airport facilities The title acquired by the township exercising the power of condemnation shall be a title in fee simple Any township having acquired land for such purposes may establish equip condition operate and maintain the same as a municipal airport airdrome landing field or intermediate landing field and may lease the same or any part thereof to any individual or corporation desiring to use the same for aviation purposes and may enter into a contract in the form of a lease providing for the use of

said land or any part thereof by the Government of the United States for the use by said Government of said land for aviation purposes upon nominal rental or without consideration

Any township may acquire by lease or purchase land for aviation purposes as hereinbefore provided jointly with any county city borough township or political subdivision or municipality authority of this Commonwealth and is hereby authorized and empowered to operate and maintain said airport airdrome landing field or intermediate landing field jointly with any county city borough township or other political subdivision or municipality authority of this Commonwealth upon such terms and conditions as may be agreed upon between the proper authorities of the county city borough township or other political subdivision of this Commonwealth

Section 32 Clauses LI LII LIII LIV and LV are hereby added to Section 1502 of said act to read as follows

LI Purchase and Planting of Trees To accept purchase and plant or contribute to the purchase and planting of shade trees and shrubs along the streets and sidewalks of the township and to expend township moneys for such purpose

LII General Powers To make and adopt all such ordinances by-laws rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth as may be deemed expedient or necessary for the proper management care and control of the township and its finances and the maintenance of peace good government and welfare of the township and its trade commerce and manufactures

LIII Joint Municipal Agreements To enter into agreements with other political subdivisions in accordance with existing laws in making joint purchases of materials supplies or equipment and in performing governmental powers duties and functions and in carrying into effect provisions of law relating to said subjects which are common to such political subdivisions

LIV Joint Contracts for Police and Fire Protection To enter into contracts with the proper authorities of near or adjacent cities boroughs and townships either for mutual aid or assistance in police and fire protection or for the furnishing to or receiving from such cities boroughs or townships aid and assistance in police and fire protection and to make appropriations therefor Provided that in connection with such contracts it shall not be necessary to receive bids or require bonds as required for other contracts under existing law

LV Widening and Deepening Water-Courses After a permit has been secured from the Water and Power Resources Board to widen and deepen water-courses running through the township and to erect such dykes retaining walls and embankments along the same as shall be necessary to prevent water from overflowing the banks thereof For such purposes townships may enter upon and condemn such property as may be necessary Townships may enter upon land lying near such water-courses and secure such material as may be necessary in connection with such work Damages for property taken injured or destroyed as the result of such work shall be fixed and determined in the manner provided in Article Nineteen of this act Townships may appropriate moneys for the purposes of carrying into effect the provisions of this clause

LVI Regulation of Charges To make and regulate charges for the use of facilities of the township

Section 33 Article XVI and sections 1601 to 1627 inclusive of said act are hereby reenacted amended and revised to read as follows

#### Article XVI

#### Public Health

##### (a) Boards of Health

Section 1601 Appointment of Boards of Health and Health Officers The administration of the health laws in townships shall be enforced by a board of health or by a health officer or officers as the case may be appointed by the township commissioners

Where township commissioners elect to appoint a health

officer or officers the said health officer or officers shall have the same powers and duties and exercise the same authority as is [now] prescribed for boards of health in townships All health officers whether appointed by boards of health or township commissioners shall have had some experience or training in public health work in accordance with rules and regulations established by the advisory health board of the State Department of Health Such health officers shall not enter upon the performance of their duties until they are certified so to do by [the Secretary of Health of] the State Department of Health

Section 1602 Members of Board Terms Secretary Where the township commissioners decide to appoint a board of health said board shall be composed of five members at least one of whom shall be a reputable physician of not less than two years' experience in the practice of his profession if one resides within the township The members of the board shall be appointed by the township commissioners At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve for five years The members of the board of health shall serve without compensation [; Provided however If] but if any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office

Section 1603 Organization of Board Salary of Secretary Bonds [of Members] Fees and Penalties Power to Administer Oaths The members of the board shall severally take and subscribe to the oath prescribed for township officers and shall annually organize by electing a president from among the members of the board a secretary who may or may not be a member of the board and a health officer who shall not be a member of the board The secretary and the health officer shall receive such salary as may be fixed by the board and ratified by the board of commissioners of the township and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They if required by the board of commissioners shall severally give bond to the township in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required [by] of members of the board

All fees which shall be collected or received by the board or by any officer thereof in his official capacity shall be paid over into the township treasury monthly together with all penalties which shall be recovered for the violation of any regulation of the board The president and secretary shall have full power to administer oaths or affirmations in any proceeding or investigation touching the regulations of the board but shall not be entitled to receive any fee therefor

Section 1604 Duties of Secretary The secretary of the board shall keep the minutes of its proceedings shall keep accurate accounts of the expenditures of the board shall transmit all bills to the board of township commissioners for payment in the same manner as other bills of the township are paid shall draw all requisitions for the payment of moneys on account of the board of health and present the same to the president of the board for his approval shall render statements of the expenditures to the board at each stated meeting or as frequently as the board may require shall prepare under the directions of the board the annual report to the township commissioners together with the estimate of appropriation needed for the ensuing year He shall report to the State Department of Health at the end of each week and for the fraction of each week occurring at the end of each month the cases of communicable disease reported to the board of health on the form provided for that purpose by the State Department of Health shall also make an annual report to the State Department of Health and shall make such other reports and perform such other duties as the board of health may require

Section 1605 Duties of Health Officer It shall be the duty of the health officer to attend all stated and special meetings of the board of health and at all times be ready and

available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the board of health or of which he or the board of health may have knowledge which are required by law or by regulation of the State Department of Health [or of the local board of health] to be placarded and quarantined and shall disinfect such premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases shall make sanitary inspections shall execute the orders of the board of health and shall in the performance of his duties have the power and authority of a [policeman] township police officer

Section 1606 Powers of Board of Health The [said] board of health shall have the power and it shall be its duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and any ordinances of the township relating to health work and to make and enforce such additional rules and regulations to prevent the introduction and spread of infectious or contagious diseases by the regulation of intercourse with infected places by the separation of infected persons and persons who shall have been exposed to any infectious or contagious disease and by abating and removing all nuisances which it shall deem prejudicial to the public health to mark infected houses or places to prescribe rules for the construction and maintenance of house drains wash pipes soil pipes and cesspools and make all such other rules and regulations as it shall deem necessary for the preservation of the public health and such other powers relating to health work as may be delegated by the township commissioners The board shall also have power with the consent of the township commissioners in case of a prevalence or apprehended prevalence of any contagious or infectious diseases in its township to establish one or more emergency hospitals and to make provisions and regulations for the maintenance and management of the same

The board shall also have the power to make enforce and cause to be published all necessary rules and regulations not inconsistent with law for carrying into effect the powers and functions with which it is invested by law and the power and authority relating to the public health conferred on townships Such rules and regulations when approved by the township commissioners and when advertised in the same manner as other ordinances shall have the force of ordinances of the township All penalties or punishments prescribed for the violation thereof as well as the expenses actually and necessarily incurred in carrying such rules and regulations into effect shall be recoverable for the use of the township in the same manner as penalties for violation of the ordinances of the township and subject to the like limitations as to the amount thereof

Section 1607 Entry of Premises The board of health shall have the power as a body or by committee as well as the health officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the township upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same and for any other purpose arising in connection with or in the performance of their duties

Section 1608 Inspections The board of health may inspect house drains waste and soil pipes cesspools water-closets slaughterhouses hogpens stables stable yards and any conditions or places whatsoever in the township which may constitute a nuisance or a menace to public health Whenever any condition or place in the township is found by it to be a nuisance or a menace to the health of the people of the township it shall issue a written order of abatement directed to the owner or agent of the owner of the premises or to the occupant thereof stating that the conditions specified therein constitute a nuisance

or a menace to health and ordering an abatement thereof within such time as may be specified by it in such order In case such order of abatement is not obeyed within the time specified therein it shall thereupon issue a further written order to the health officer directing him to remove or abate the same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may by ordinance of the township be provided

Section 1609 Budget Appropriations It shall be the duty of the board of health or appointed health officer or officers to submit annually to the township commissioners before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and the township commissioners shall then proceed to make such appropriations as may be deemed necessary [and the said] The board of health health officers or officers shall [in the month of January of each year] at the close of each fiscal year or fiscal period submit a report in writing to the township commissioners of its appropriation and expenditures for the preceding year together with such other information on subjects relative to the sanitary conditions or requirements of the township as may be necessary [and council or township commissioners shall publish the same in their official journal]

Section 1610 Cooperation in Health Work Any township may cooperate with the county or with any city borough township or school district as well as with the State Department of Health in the administration and enforcement of health laws

Section 1611 Powers of Secretary of Health Whenever in the opinion of the Secretary of Health of the Commonwealth conditions found by him to exist in any township shall constitute a menace to the lives and health of people living outside the [corporate limits] boundaries of such township or if it be known to him that any township is without an existing or efficient board of health or health officer or officers the Secretary of Health may enter and take full charge of and administer the health laws regulations and ordinances in such township and may continue in charge thereof until he shall decide that a competent and efficient board of health or health officer or officers has been appointed and qualified for such township and is ready able and willing to assume and carry into effect the duties imposed upon it by law

Section 1612 Expenses Incurred by Board or Secretary of Health All expenses incurred by any local board of health its officers or employes in the performance of the duties imposed upon it by law and all expenses incurred by the Secretary of Health in accordance with the provisions of the preceding section shall be paid by the township wherein such duties are performed in the same manner as other expenses of such township are paid

Section 1613 Suits by State Secretary of Health to Recover Expenses Whenever expenses incurred by the State Secretary of Health or his agents in the administration of health laws in any township in accordance with the provisions of this act shall remain unpaid by said township for a period of more than three months after a statement of such expense has been rendered by him to such township and demand for payment by him made he shall with the approval of the Governor institute in the name of the Commonwealth as plaintiff an action of assumpsit against such township for the collection of such expense from the township in the same manner as debts of like amount are collected by law Provided however That upon the trial of any such action of assumpsit the reasonableness of the expenditures made by the Secretary of Health shall be submitted to the jury for its determination

Section 1614 Payment of Expenses Recovered Into State

**Treasury** All expenses incurred by the State Secretary of Health in the administration of health laws in any township when paid to him by such township or when collected by him shall be returned by him to the State Treasurer who shall credit the amount so received to the appropriation made to the Department of Health

(b) Vacation of [Lanes and Alleys] Streets

Declared Nuisances by Board of Health

**Section 1620 Petitions to Vacate Nuisances** Whenever the board of health shall declare as a nuisance any public [alley lane or passageway] street or part thereof any two or more owners of property adjacent or abutting upon the same may present their petition verified by oath or affirmation to the court of quarter sessions setting forth the facts regarding such nuisance and praying that said [alley lane or passageway] street may be vacated Such petition shall be accompanied by a certificate of the board of health setting forth that they have declared such [alley lane or passageway] street to be a public nuisance

**Section 1621 Jury of View** The court shall thereupon appoint a jury of view of three men of the county The jury being sworn or affirmed to faithfully perform its duties shall give notice to all parties likely to be affected by the proceedings of the time and place of the first meeting in such manner as the court shall direct

**Section 1622 Hearings and Report** After the first meeting the jury shall proceed to view the premises hear all parties interested and their witnesses and shall prepare a report of their finding and recommendations as to whether or not such [alley lane or passageway] street or part thereof should be vacated and in such report shall award damages and assess benefits to the property affected

**Section 1623 Notice of Filing Report** The jury shall give notice in writing to all parties affected by their report [as] at least ten days before the same is filed in court The notice shall state the time and place where such report will be open to inspection

**Section 1624 Exceptions to Report** Any person aggrieved by such report may file exceptions thereto with the jury whereupon the jury shall reconsider their report with the exceptions and change the same as justice may require The report as finally prepared shall be filed in court

**Section 1625 Appeals from Report** Any person affected by the report shall have the right of an appeal to the court of common pleas within thirty days after the report is filed and the procedure on such appeal shall be the same as in actions of trespass

**Section 1626 Confirmation of Report** At the end of the period allowed for an appeal the report shall be absolutely confirmed by the court as to such awards or assessments from which no appeals have been taken

**Section 1627 When Vacation Proceedings Not to be Had** No [alley lane or passageway] street or part thereof shall be vacated in any case where the vacating deprives any lot abutting thereon of the sole means of ingress or egress otherwise than to or from the front line thereof nor where it was created by grant or contract and not theretofore accepted by the public

Article XVII

Finance and Taxation

**Section 34 Article XVII** of said act is hereby amended by adding thereto the following section

**Section 1700 Fiscal Year** The current fiscal year of each township shall end with the day preceding the first Monday of January one thousand nine hundred and fifty There shall be a temporary fiscal period in each township commencing with the first Monday of January one thousand nine hundred and fifty and ending with the thirtieth day of June one thousand nine hundred and fifty Thereafter the fiscal year in each township shall commence on the first day of July of each calendar year and end with the thirtieth day of June of the next succeeding calendar year

Section 35 Article XVII and sections 1701 to 1712 inclusive of said act are hereby reenacted amended and revised to read as follows

**Section 1701 Annual Budget Regulation of Appropriations** The board of township commissioners [of townships] shall [each year within sixty days after the first Monday of January and at least thirty days prior to the adoption of the annual budget] during the month of December of the year 1949 or previous thereto for the temporary fiscal period from the first Monday of January 1950 to June 30th 1950 and on or before the first day of April of the year 1950 and each year thereafter prepare a proposed budget showing an estimate of the several amounts of money which will be required for the several specific purposes of township government and expenses during the current fiscal year or temporary fiscal period and by ordinance appropriate out of the revenues available for the year or temporary fiscal period the specific sums required as shown by the budget as finally adopted The tax levied by the township [authorities] commissioners shall be fixed at such figure within the limit allowed by law as with all other sources of revenue will meet and cover said appropriations The total appropriation shall not exceed the revenues available for the fiscal year or temporary fiscal period If the funds available from taxation and other sources shall be estimated to be in excess of the requirements of the current fiscal year or temporary fiscal period an appropriation may be made for the payment of township orders or indebtedness of the previous years

The budget shall be prepared on a uniform form prepared and furnished as provided in section one thousand seven hundred and one A of this act Final action shall not be taken on the proposed budget until after at least ten days public notice The proposed budget shall be published or otherwise made available for public inspection at least twenty days prior to the date set for the adoption of the budget

The township commissioners after making such revisions and changes therein as appear advisable shall adopt the budget on or before the first day of January 1950 for the fiscal period beginning the first Monday of January 1950 and on or before the seventh day of May for each fiscal year thereafter and shall not later than said dates make the tax levies for the fiscal period or fiscal year

The township commissioners may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not appropriated to any other purpose including the proceeds of any borrowing now or hereafter authorized by law

The township commissioners shall have power to authorize the transfer within the same fund of any unencumbered balance or any portion thereof from one spending agency to another but such action shall be taken only during the last nine months of the fiscal year

Within fifteen days after the adoption of the budget the township commissioners shall file a copy of the same in the office of the Department of Internal Affairs

**Section 1701a Committee to Prepare Uniform Forms** Uniform forms for the annual reports of township auditors and controllers to the Department of Internal Affairs as required in [section one thousand and three and section one thousand one hundred and seven] sections 1003 and 1103 of this act and the uniform form for the annual budget as required in section [one thousand seven hundred and one] 1701 shall be prepared by a committee consisting of four representatives from the Pennsylvania State Association of Township Commissioners and the Secretary of Internal Affairs or his agent who shall be a person trained in the field of municipal finance

Such representatives shall be appointed by the president of said organization within sixty days after the effective date of this act As far as possible such representatives shall be chosen to represent townships in the various population groups within the range of townships of the first

class The president of said organization shall supply to the Department of Internal Affairs the names and addresses of such representatives immediately upon their appointment

Said representatives shall serve without compensation but they shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee The committee shall meet at the call of the Secretary of Internal Affairs or his agent who shall serve as chairman of the committee

It shall be the duty of the Secretary of Internal Affairs or his agent to see to it that the forms required by this act are prepared in cooperation with said committee In the event that said committee should for any reason fail to furnish such cooperation the Secretary of Internal Affairs or his agent shall complete the preparation of the forms After their preparation he shall issue said forms and distribute them annually as needed to the proper officer of each township

Section 1702 Appropriations Not to Be Exceeded Changes in Appropriations No work shall be hired to be done no materials purchased no contracts made and no orders issued for the payment of any moneys by the authorities of any township in any amount which will cause the sums appropriated to specific purposes to be exceeded No change in the purpose of the appropriations shall be made unless by an ordinance which shall set out the reasons for and character of such change If any work shall be done for or materials furnished to any township contrary to the provisions of this section the township commissioners are hereby prohibited from authorizing payment therefor as a moral obligation or otherwise unless ordered or directed so to do by the court of common pleas or the court of quarter sessions of the county in which such township is situate

Section 1703 Certain Contracts [Et Cetera] Invalid No contracts hirings or purchases made or orders or warrants issued not provided for by an appropriation by the township commissioners as is required by law or which would cause any appropriation to be exceeded shall be valid

Section 1704 Power to Create Indebtedness Sinking Fund Temporary Indebtedness The board of township commissioners may by ordinance borrow money and issue evidences of indebtedness therefor to the extent and in the manner in which municipal districts are now authorized to incur or increase the same for the purpose of permanent improvements but the total indebtedness so created shall not exceed two per centum of the county valuation of the property within the township without the assent of the electors of the township or by resolution of the board of township commissioners they may authorize payment for permanent improvements or for other contracted obligations of the township by the issuance of certificates of indebtedness payable on a certain date not exceeding one year from the date of issue Provided That the total indebtedness so created by the township commissioners together with other indebtedness created by them does not exceed two per centum of the county valuation of the property within the township without the assent of the electors thereof The rate of interest on such indebtedness shall not exceed six per centum per annum In authorizing the issue of obligations or securities for such loans the township commissioners shall provide that moneys subsequently derived from assessments upon parties benefitted by such improvements shall be deposited in the sinking fund for the payment of the principal and interest of said obligations or securities

Whenever the township funds have been exhausted the township commissioners may [borrow] make temporary loans on the credit of the township [money] in anticipation of taxes [levied and] to be collected for the current fiscal year or temporary fiscal period and issue a certificate of indebtedness [payable on a certain date not exceeding one year from the date of issue to the end that work may be performed in proper season] therefor All such loans shall be repaid from the first moneys available

from taxes in anticipation of which the same were made

Section 1705 Sinking Fund Regulations and Investments It shall be the duty of the board of commissioners to cause accounts of the sinking fund and other accounts relating to the indebtedness of the township to be kept and to see to the proper application and superintend the investment of moneys therein in accordance with law The commissioners shall meet as often as may be necessary and keep a record of the proceedings The board of commissioners shall not direct the investment of any moneys to the credit of the sinking fund except in loans of the township the loans of the Commonwealth or the loans of the United States and the income derived from such investments or on any bank balances credited to the sinking fund shall be credited and applied only to the sinking fund

Section 1706 Indebtedness and Orders of Previous Years No orders or indebtedness of any previous years shall be paid out of the funds of any fiscal year unless the funds available from taxation and other sources shall be estimated to be in excess of requirements for the current fiscal year in which case an appropriation may be made for such purpose to the extent of such excess or unless after the close of the fiscal year it shall be ascertained that the funds appropriated and available therefor are in excess of the amount required in which cases such surplus may be applied to such former orders of indebtedness

Section 1708 Disbursements to Pay Indebtedness All disbursements in discharge of township indebtedness duly incurred shall be made by the township treasurer or his deputy by virtue of warrants or orders drawn on him by the order of the board of township commissioners signed by the president or vice president and attested to by the secretary or assistant secretary of the board The board shall prescribe by ordinance the manner in which bills for township indebtedness shall be approved for payment

Section 1709 Tax Levies The board of township commissioners may levy taxes upon all property and upon all occupations within the township made taxable for township purposes as ascertained by the valuation for county purposes made by the assessors of the several counties of this Commonwealth for the year for which the township taxes are levied for the purposes and at the rate hereinafter specified Provided however That such valuation shall be subject to correction by the county commissioners of the several counties and to appeal by the taxable persons in accordance with existing laws

One An annual tax for general township purposes not exceeding [ten] twelve mills unless the board of township commissioners by majority action shall upon due cause shown by resolution petition the court of quarter sessions in which case the court may order a rate of not more than [five] three mills additional to be levied Further provided That if at the hearing before the court of quarter sessions upon said petition of which notice shall be given as the court may direct which hearing shall be held not less than ten nor more than fifteen days after said petition shall be presented the owners of real estate having assessed valuation of fifty per centum of the total assessed valuation of real estate in said township shall by petition object to the making of an order for any additional tax levy the court shall thereupon deny the prayer of said petition

For the temporary fiscal period commencing with the first Monday of January 1950 and ending with the thirtieth day of June 1950 the township commissioners may but need not levy taxes but any taxes so levied shall not exceed one-half of the maximum rates specified in clauses one to six inclusive of this section

Two A tax for the purpose of building and maintaining suitable places for the housing of fire apparatus the receipts from said tax for maintenance to be divided among the places maintained

Three An annual tax not exceeding one-tenth of one

will for the purpose of caring for trees planted under the supervision of the shade-tree commission and for the purpose of publishing notices of meetings to consider the planting removing or changing of trees In lieu of the tax provided for in this clause the township commissioners may by specific appropriation provide for the maintenance of such trees from the general funds of the township

Four An annual tax so long as necessary [not exceeding fifty per centum of the rate of assessment for township purposes] for the purpose of procuring a lot and/or erecting a building thereon for a townhouse and for the payment of indebtedness incurred in connection therewith [Provided The total indebtedness for the payment of which any such tax shall be levied shall not exceed one-half of one per centum of the assessed value of real state in the township]

Five An annual tax sufficient to pay interest on indebtedness and sinking fund charges

This section does not include the levy of any taxes upon particular districts or parts of any township for particular purposes nor special levies otherwise provided for in this act

Six The commissioners of the township shall have the power to levy and collect annually on the valuation assessed for general township purposes as now is or may be provided by law an additional tax not exceeding one-half ( $\frac{1}{2}$ ) mill to provide for pensions retirement or the purchase of annuity contracts for township employees This tax shall be kept in a separate fund and used only for the purposes herein provided

Section 1710 Tax Rates to Be Expressed in Dollars and Cents Whenever the commissioners of any township shall by ordinance fix the rate of taxation for any year at a mill rate such ordinance shall also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

Section 1711 Special Levies to Pay Indebtedness In addition to the levies hereinbefore provided for when it is shown to the court of quarter sessions that the debts due by any township exceed the amount which the township commissioners may collect in any year by taxation the court after ascertaining the amount of indebtedness of any such township may by a writ of mandamus direct the township commissioners by special taxation to collect an amount sufficient to pay the same If the amount of such indebtedness is so large as to render it undesirable to collect the same in any one year taking into consideration other necessary taxation the court may direct the same to be levied and collected by annual instalments and may order such special taxes to be levied and collected during such successive years as may be required for payment of the same

Section 1712 Delivery of Duplicates [As soon as possible after the receipt of the duplicate from the county commissioners the] The board of township commissioners shall deliver a duplicate of the assessment of township taxes to the township treasurer together with their warrant for the collection of the same Delivery shall be made on or before the 25th day of January 1950 for the temporary fiscal period commencing on the first Monday of January 1950 and ending with the 30th day of June 1950 and on or before the 15th day of June 1950 and each year thereafter for each fiscal year

Section 36 Article XVIII and sections 1801 and 1802 of the act are hereby reenacted amended and revised to read as follows

#### Article XVIII

##### Contracts

Section 1801 Power to Make Contracts Townships [shall have] [power to] may make [such] contracts [as may be necessary] for lawful purposes and for the purpose of carrying into execution the provisions of this act and the laws of the Commonwealth

Section 1802 General Regulations Concerning Contracts

(a) All contracts or purchases made by any township involving the expenditure of over five hundred dollars except those hereinafter mentioned shall be in writing and shall be made only after notice by the secretary published in one newspaper of general circulation published or circulating in the county in which the township is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are [available] employed for such publication [and] or in case [of] weekly newspapers are employed then the notice shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids All plans and specifications shall be on file at least ten days in advance of opening bids

(b) In every instance in which any contract for any public work construction materials supplies or other matters or things for any township shall be awarded upon competitive bids it shall be the duty of the authorities authorizing the same to award said contract to the lowest responsible bidder Any published notice for bids shall contain full plans and specifications or refer to the places where copies thereof can be obtained and give the time and place of meeting of the township commissioners at which meeting bids shall be publicly opened and read If through lack of a quorum or other reason no meeting shall be held at such time and place notice of the same kind shall be repeated once at least six days before the meeting of the subsequent time and place fixed and the foregoing provisions as to bids shall apply The same course shall be pursued until a meeting shall actually be held for receiving and opening bids Any contract made in violation of the provisions hereof shall be void But nothing herein contained shall prevent the making of contracts for governmental services for a period exceeding one year but any contract so made shall be executory only for the amounts agreed to be paid for such services to be rendered in succeeding fiscal years Provided That if prior to the letting of any contract taxpayers of the township whose property valuation as assessed for taxable purposes within the township shall amount to sixty per centum or over of the total property valuation as assessed for taxable purposes within the township shall sign and file with the township secretary of the board [of township commissioners of the township] a written protest against such contemplated contract then such contract shall not be let

(c) The successful bidder when advertising is required herein shall be required to furnish bond with suitable reasonable requirements guaranteeing the performance of the contract with sufficient surety in the amount of fifty per centum of the amount of the liability under the contract within twenty days after the contract has been awarded unless the township commissioners shall prescribe a shorter period of not less than ten days Upon failure to furnish such bond within such time the previous award shall be void Deliveries accomplishment and guarantees may be required in all cases of expenditures including exceptions herein

[(c)] (d) The contracts or purchases made by the commissioners involving an expenditure of over five hundred dollars which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works of the township provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the commissioners as in other cases of work done

(2) Those made for improvements repairs and maintenance of any kind made or provided by any township through its own employees Provided however That this shall not apply to construction materials used in a street improvement

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by the commissioners which are patented and manufactured products

(4) Those involving any policies of insurance or surety

company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or Federal Government or their agencies But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Government or their agencies

(5) Those involving personal or professional services

Section 37 Section 1803 of said act is hereby repealed

Section 38 Sections 1804 1805 1806 and 1807 of said act are hereby reenacted amended or revised to read as follows

Section 1804 [Contracts] Bonds for Protection of Labor and Material-men It shall be the duty of every township to require any person copartnership association or corporation entering into a contract with such township for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of five hundred (\$500) dollars before commencing work under such contract to execute and deliver to such township in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person copartnership association or corporation interested in a sum not less than fifty per centum (50%) and not more than one hundred per centum (100%) of the contract price as such township may prescribe having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter in and become component parts of the work or improvement contemplated Such additional bond shall be deposited with and held by the township for the use of any party interested therein Every such additional bond shall provide that every person copartnership association or corporation who whether as sub-contractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the township for his their or its use and prosecute the same to final judgment for such sum or sums as may be justly due him them or it and have execution thereon Provided however That the township shall not be liable for the payment of any costs or expense of any suit

Section 1805 Separate Specifications for Branches of Work In the preparation of specifications for the erection or alteration of any public building when the entire cost of such work exceeds one thousand dollars the architect engineer or person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the township shall receive separate bids upon each of such branches of work and award the contract for the same to the lowest responsible bidder

Section 1806 Workmen's Compensation Insurance All contracts executed by any township which involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and that the said contractor will insure his liability thereunder or file with the township with which the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Every officer of any township who shall sign on behalf

of the township any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of the said act or that the said contractor has had issued to him a certificate of exemption from insurance by the Bureau of Workmen's Compensation of the Department of Labor and Industry

In any contract executed in violation of the provisions of this act the township which is a party thereto shall be regarded as the employer and liable to pay compensation to any person entitled to compensation under the laws of the Commonwealth as the result of employment pursuant to such contract

Section 1807 Engineers and Architects Not to Be Interested in Contracts It shall be unlawful for any architect or engineer in the employ of a township and engaged in the preparation of plans specifications or estimates or for any officer or employee of the township directly or indirectly to bid on any public work at any letting of such work in such township

It shall be unlawful for the officers of a township charged with the duty of letting any public work to award a contract to any such architect engineer officer or employee in the employ of the township

It shall be unlawful for any architect engineer officer or employee in the employ of any township to be in any wise interested in any contract for public work in such township or to receive any remuneration or gratuity from any person interested in such contract

Any person or persons violating these provisions or any one of them shall forfeit his office and shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment of not less than six months or both in the discretion of the court

Section 39 Article XVIII of said act is hereby amended by adding thereto sections 1808 1809 1810 and 1811 to read as follows

Section 1808 Minimum Wages under Contracts

(a) The specifications upon which contracts are entered into by any township for the construction alteration or repair of any public work or improvement may at the option of any such township contain the minimum wage or wages which may be paid by the contractor or his sub-contractors for the work performed by laborers and mechanics employed on such public work or improvement and such laborers and mechanics shall in such cases be paid not less than such minimum wage or wages

(b) Every contract for the construction alteration or repair of any public work or improvement founded on specifications containing any such stipulation for minimum wage or wages shall stipulate a penalty of an amount equal to twice the difference between the minimum wage contained in said specifications and the wage actually paid to each laborer or mechanic for each day during which he has been employed at a wage less than that prescribed in said specifications

(c) Every officer or person designated as an inspector of or having supervision over the work to be performed under any such contract in order to aid in enforcing the fulfillment thereof shall upon observation or investigation report to the commissioners of the township all violations of minimum wage stipulations together with the name of each laborer or mechanic who has been paid a wage less than that prescribed by the specifications and the day or days of such violation

(d) All such penalties shall be withheld and deducted for the use of the township from any moneys due the contractor by the officer or person whose duty it shall be to authorize the payment of moneys due such contractor whether the violation of the minimum wage

tipulation of the specifications was by the contractor or by any of his subcontractors. Provided That if any such contractor or subcontractor subsequently pays to all laborers and mechanics the balance of the amounts stipulated in such contract the township shall pay to the contractor the amounts so withheld as penalties.

**Section 1809 Discrimination Between Employees** Every contract for or on behalf of any township for the construction alteration or repair of any public building or public work shall contain provisions by which the contractor agrees

(a) That in the hiring of employees for the performance of work under this contract or any subcontract hereunder no contractor subcontractor nor any person acting on behalf of such contractor or subcontractor shall by reason of race creed or color discriminate against any citizen of the Commonwealth of Pennsylvania who is qualified and available to perform the work to which the employment relates

(b) That no contractor subcontractor nor any person on his behalf shall in any manner discriminate against or intimidate any employee hired for the performance of work under his contract on account of race creed or color

(c) That there may be deducted from the amount payable to the contractor under this contract a penalty of five dollars for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of the contract and

(d) That the contract may be cancelled or terminated by the township and all money due or to become due hereunder may be forfeited for a second or any subsequent violation of the terms or conditions of this portion of the contract

**Section 1810 Publication of Contract Notices** Any township may legally authorize the publication of advertising or bids for public works contracts supplies or equipment in addition to the newspapers specified by law also in any publication or journal devoted to the dissemination of information about construction work published in this Commonwealth at least once a week and circulating among contractors manufacturers and dealers doing business in the community in which such public works are to be constructed or supplies or equipment purchased. **Provided** That no advertisement for bids for public works contracts supplies or equipment shall be inserted in any publication or journal devoted to the dissemination of information about construction work which has not been established and regularly issued from a printing office and publication house in this Commonwealth for a period of at least eighteen months and that such publication and journal shall be entered or entitled to be entered for submission to the United States mails as second class matter and shall have a bona fide income from subscribers within the Commonwealth of Pennsylvania of not less than fifteen thousand dollars per annum duly certified by a public accountant and the rates and charges for such advertising shall not be in excess of those of newspapers of general circulation as defined by the Newspaper Advertising Act of a like circulation published in the community in which the public works are to be constructed or the supplies or equipment purchased

**Section 1811 Penalty for Personal Interest in Contracts** Except as otherwise provided in this act no township official either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the township or for any work to be done for such township involving an expenditure by the township of more than three hundred dollars in any year but this limitation shall not apply to cases where such officer or appointee of the township is an employee of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or

otherwise. But in the case of a commissioner if he knows that he is within the exception just mentioned he shall so inform the commissioners and shall refrain from voting on the expenditure or any ordinance relating thereto and shall in no manner participate therein. Any official or appointee who shall knowingly violate the provisions of this section shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the township to ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars.

**Section 40 Article XIX** and sections 1901 to 1916 inclusive of said article are hereby reenacted revised and amended to read as follows

#### Article XIX

##### Eminent Domain Assessment of Damages and Benefits

###### (a) General Provisions Relating to Eminent Domain

**Section 1901 [Scope of Article]** Whenever under the provisions of this act the right of eminent domain and/or the ascertainment and assessment of damages and benefits in viewer proceedings is provided for the proceedings shall be as set forth in this article. **Exercise of Eminent Domain** In the laying out opening widening extending vacating grading or changing the grades or lines of streets the construction of bridges and the piers and abutments therefor the construction of slopes embankments and sewers including storm water drains the erection and extension of waterworks wharves and docks public buildings public works lands and places for the disposal of ashes and other refuse materials garbage treatment works and libraries the establishing of parks playgrounds and recreation places the changing of watercourses and for all other purposes authorized by this act a township of the first class may enter upon appropriate injure or destroy private lands property and material

**Section 1902 Restrictions As to Certain Property** In addition to the restrictions made by other provisions of this act in particular cases no township shall exercise the right of eminent domain as against land now occupied by any building which was used during the Colonial or Revolutionary period as a place of Assembly by the Council of the Colony of Pennsylvania the Supreme Executive Council of the Commonwealth of Pennsylvania or the Congress of the United States or as against the land occupied by any fort redoubt or blockhouse erected during the Colonial or Revolutionary period or any building used as headquarters by the Commander-in-Chief of the Continental Army or as against the site of any building fort redoubt blockhouse or headquarters which are preserved for their historic associations and not for private profit. The Colonial and Revolutionary period shall be taken as ended on the third day of September one thousand seven hundred and eighty-three

**Section 1903 Possession of Property upon Tender of Bond** Whenever in any condemnation proceedings any township has tendered a bond to secure the payment of damages and the same has been accepted or if the acceptance has been refused and the bond has been filed in and approved by the court the township shall have the right to immediate possession of the property

**Section 1904 Notice to Quit Possession Procedure** If the owner lessee or occupier shall refuse to remove his personal property or give up possession the township may serve written notice upon such owner lessee or his agent or the occupier to remove his personal property and give up possession of such property within sixty days from the date of the service of such notice

If the owner lessee or occupier shall refuse to remove his personal property and give possession upon proof of the service of the notice a writ of habere facias possessionem shall forthwith issue directing the sheriff to give to the township possession

**Section 1905 Bond of Township Without Surety Sufficient** Whenever the township shall tender any bond or

any court shall order any township to enter security for the payment of damages for the taking injury or destruction of land property or materials by right of eminent domain the bond of the township shall be taken without [sureties] surety

**Section 1906 Value of Land or Property Not to Be Assessed as Benefits Exceptions** In all cases of the appropriation of land or property for public use other than for [roads or] streets it shall not be lawful to assess any portion of the damage done to or value of the land or property so appropriated against the other property adjoining or in the vicinity of the land or property so appropriated

**Section 1907 Right to Damages** The right to damages against townships is given to all owners or tenants of lands property or material abutting on or through which pass [roads] streets [lanes or alleys] injured by the laying out opening widening vacating extending or grading of such [roads] streets [lanes or alleys] or the changing of the grades or lines thereof by such townships the construction and the vacation by such townships of bridges and piers abutments and approaches therefor and the construction by such townships of sewers over upon or through such lands or property and in all other cases where the power of eminent domain is exercised by a township and property is taken injured or destroyed

**Section 1908 Viewers' Report** Viewers or juries of view appointed by any court to assess damages and benefits due to the taking injury or destruction of private land or property in and by the construction or enlargement of any public work [highway] street or improvement shall make their reports within a time which the court shall fix when appointing them but if any of the viewers or juries of view shall for any reason appearing sufficient to the court be unable to file [its] their report within the period so fixed the court may either before or after the expiration of the time fixed extend the time for the filing of such report

**Section 1909 Plan of Properties Condemned to Be Furnished to Viewers** In all proceedings to assess damages for the taking injury or destruction of private land or property for public use the township taking injuring or destroying land or property for said purpose shall furnish the [board] jury of [viewers] view with a correct plan of all land or properties affected showing all buildings or other structures thereon their width length elevation and cubical contents names of all owners tenants or occupiers thereof the topography of the land and the grades and widths of all [highways] streets running through or abutting on said lands or properties and all other data necessary for a proper determination of the amount of damages caused by the taking injury or destruction of said private land or property

Said plans shall be prepared and ready for the use of the viewers at their first meeting and copies thereof shall be furnished to all owners tenants and occupiers of the land and property and all other parties affected thereby without charge

**Section 1910 Condemnation Petition to Specify Liens Exception** In all proceedings instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain excepting proceedings to ascertain damages and benefits by reason of township street or sewer improvements the petition for the appointment of viewers therein shall contain allegations specifying any judgments mortgages or other claims (herein designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid

**Section 1911 Findings of Facts as to Liens Testimony** shall be taken in said proceedings to ascertain the amounts of said liens and the dates of the entry of the same and the amounts of said liens and the dates of entry thereof shall be found as facts by the viewers in said proceedings Certified lists of liens from the Department of Revenue the courts of the Commonwealth and the

United States shall be prima facie evidence of the existence dates amounts dates of entry and places of record of said liens and unless modified or overcome by competent oral or documentary evidence shall be conclusive upon the parties thereto as to items just specified

**Section 1912 Reports of Viewers as to Liens Appeals Distribution to Lien Creditors Discharge of Liens Where** it appears that liens exist as aforesaid which are liens upon land or property sought to be condemned and appropriated as aforesaid a report of the facts found as aforesaid shall be made to the court having jurisdiction of the proceeding which report shall be subject to exceptions in manner to be regulated by the Supreme Court by general rule prescribed amended and published from time to time and upon the findings in relation to said liens being finally found by said court having jurisdiction of said proceedings said court shall make an order directing the payment and distribution of the amount found to be payable as compensation to the parties entitled thereto first to the owners of said liens in the order of their priority then to the owners of the land or property appropriated as aforesaid [Provided however That] Any of the parties interested shall have the right of appeal from said order of distribution to the Superior or Supreme Courts of the Commonwealth as shall be determined by the amount distributed to said parties respectively in manner now provided by law Payment in accordance with said order of distribution shall absolutely discharge the party making said payment from all claims of whatsoever nature by any [person firm corporation or] claimant as against said land or property when the payment thereof shall be evidenced by a receipt of record in said proceedings and in said receipt and on the record thereof any claimant may reserve the right to pursue the owner of said land or property for any balance due upon his lien against any other land or property or assets of the said owner

**Section 1913 Vesting Title** Upon payment of the compensation for land or property appropriated as aforesaid in accordance with said order of distribution title to the land or property appropriated shall vest in the [take thereof] township in accordance with provisions of the law under which such appropriation is made and all claims for compensation shall be deemed paid and satisfied as herein provided

**Section 1914 Competency of Evidence as to Market Value of Land or Property** In all proceedings arising from the exercise of the right of eminent domain it shall be competent for all witnesses called when duly qualified to state their opinion as to the market value of the land or property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby

(a) To state in detail and [costs] amounts all the elements of benefit or damage which they have taken into consideration in arriving at their opinion

(b) In arriving at their opinion as to the market value immediately after the exercise of the right of eminent domain to add to their opinion of the market value before such exercise the cost or value of all the elements of benefit or advantage and to deduct therefrom all disadvantage or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby

(c) In all proceedings to assess damages or benefits from the opening of any street [alley or other highway] to take into consideration as one of the elements of advantage or disadvantage the cost of street improvement

In all claims for damages against a township arising from the exercise of the right of eminent domain it shall be competent for the party or parties claiming damages to offer in evidence as a declaration against interest the value of the land or property affected as assessed for the purpose of taxation

**Section 1915 Proceedings Where Assessments by Viewers**

ers Waived In any proceeding to ascertain the damage caused to any owner of lands or properties by reason of the appropriation of a right of way or easement by any township where the owner and township cannot agree upon the amount of damage done the parties may by agreement waive the right to have such damages assessed and the owner may file his claim in the court of common pleas of the county and rule the [defendant] township to plead thereto within fifteen days from the service of such rule upon the township and the suit shall be proceeded with as if an award of viewers had been filed and appeal had been taken therefrom

Either party to such an action may on motion have the jury visit and view the premises over or through which the proposed right of way or easement may extend

Section 1916 Appeals in Eminent Domain Proceedings Payment of Money Into Court In all cases of damages assessed against any township for land or property taken injured or destroyed by the construction or enlargement of their works [highways] streets or improvements whether such assessment shall have been made by viewers or otherwise than upon trial in court and an appeal is not provided for an appeal may be taken by either party to the court of common pleas of the county within thirty days from the filing of the report

Any such appeal taken shall be signed by the party making the same or by his agent or attorney and shall be accompanied by an affidavit of the party appellant or of the agent or attorney that the same is not for the purpose of delay but because the affiant firmly believes that injustice has been done

When no such appeal is taken and judgment is entered and the party to whom damages have been awarded refuses to accept payment of such award or judgment then it shall be lawful for [such] the township upon petition to the court after notice as ordered by court to pay the amount of the award and costs into the court The court upon such payment shall order the satisfaction of the award or judgment

Section 41 Said act is hereby amended by adding thereto sections 1917 and 1918 to read as follows

Section 1917 Title Acquired In all cases where land or property is acquired in eminent domain proceedings other than for street purposes or is acquired by gift purchase or otherwise the title obtained by the township shall be in fee simple provided that in particular instances a different title may by agreement be acquired

Section 1918 Land Transferable If the project or purpose for which any land or property has been taken received or acquired shall be abandoned or found not to be desirable for the best interests of the township the land or property thus obtained may be used for other township purposes or sold leased or otherwise disposed of

Section 42 Article XIX and sections 1920 to 1953 inclusive of said act are hereby reenacted revised and amended to read as follows

(b) Procedure for the Exercise of Eminent Domain and for the Assessment of Damages and Benefits

Section 1920 Petition for Viewers Time of Meeting Except as [in this act] otherwise provided in this act in a case the compensation for damages or benefits accruing from the exercise of the right of eminent domain and] or from the erection and construction of public improvements [have] has not been agreed upon the court of common pleas or any law judge thereof in vacation on application thereto by petition by the township or any person interested shall appoint three viewers from the board of viewers of the county and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet [upon the line] at the place of the improvement and view the same and the premises affected thereby

Section 1921 When Viewers May Be Appointed The viewers provided for in the preceding section may be appointed before or after the entry appropriation or

injury of any land or property or appropriation of any materials for constructing such improvements

Section 1922 Notice of Meeting of Viewers Except [when] as otherwise [in this act] provided in this act the viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more newspapers of general circulation in the township and by handbills posted upon the premises or otherwise as the court shall direct

Section 1923 Swearing Viewers Hearings Schedules of Damages and Benefits The viewers having been sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined the land or property shall hear all parties interested and their witnesses and shall determine the damages for land or property taken injured or destroyed if any and to whom the same is payable and having determined the damages together with the benefits they shall prepare a schedule thereof

Section 1924 Assessment of Damages and Benefits The damages may be paid in whole or in part by the township or may be assessed in whole or in part upon the land or property benefited In the latter case the viewers having first determined the damages apart from the benefits shall assess the total cost of the improvement or so much thereof as may be just and reasonable upon the lands or properties peculiarly benefited including in the assessment all parties for which damages have been allowed and shall report the same to the court The total assessments for benefits shall not exceed the total damages awarded or agreed upon

Section 1925 Assessment Awards In proceedings to assess damages and benefits if the land or property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the several owners of the land or property affected thereby

Section 1926 Separate Reports of Damages and Benefits The [preceding section shall not prevent the] viewers [from making] shall make a separate report of the damages and benefits respectively [In such event if] If the damages to the land or property of any person be greater than the benefits or if the benefits be greater than the damages or if the damages and benefits be equal in either case the viewers shall strike a balance and carry the difference forward to another column so that the assessment shall show what amount is to be received or paid by the land or property owner and the difference only shall be collectible of or paid to such land or property owner Appeals taken from the report of the board of viewers shall be from such net amount only

Section 1927 Notice When Schedules Will Be Exhibited The viewers shall give notice to all parties to whom damages are allowed or upon whom assessments for benefits are made of a time not less than ten days thereafter and of place where the viewers will meet and exhibit their schedule and hear all exceptions thereto

Section 1928 Service of Notices Such notice required by the preceding section shall be given in the manner provided by law for the service of a summons in a personal action if the parties can be found in the [township] county in which the township is located or upon an adult person residing upon the land or property affected by the assessment in case the owner or reputed owner cannot be found in said county and to all others by publication in the newspaper or newspapers in which the first notices of the view were published and by posting conspicuously on the premises The board of commissioners may by ordinance provide by whom the notice shall be served and posted and fix the compensation for such service

Section 1929 Report of Viewers Plan of Improvements

After making whatever changes are necessary the viewers or a majority thereof shall report to the court showing the damages and [or] benefits allowed and assessed in each case and file therewith a plan to be secured or prepared by the viewers showing the improvement the lands or properties taken injured or destroyed and lands or properties benefited

**Section 1930 Notice of Filing of Report** When the report is filed notice thereof shall immediately be given by publication once in the newspaper or newspapers publishing the notice provided for in this article Such notice shall state the date of filing of the report contain a schedule of the damages allowed and benefits assessed and shall state that unless exceptions [be] are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the report will be confirmed absolutely

**Section 1931 Townships to Pay Costs of Proceedings** The cost of the proceedings including court costs except the compensation of the viewers shall be paid by the township

**Section 1932 Bond of Township** Except when [in this act] otherwise provided in this act in all cases where the parties have not agreed upon the damages claimed or where by reason of the absence or legal incapacity of the owner no such agreement can be made the township may tender sufficient security to the party entitled to damages or to the attorney or agent of any person absent or to the agent or officer of a corporation or to the guardian or committee of anyone under legal incapacity

**Section 1933 Condition of Bond** Notice of Filing in Court The condition of the security shall be that the township shall pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided for by this article In case the party claiming damages refuses to accept the security tendered the township shall give the party or his agent attorney guardian or committee a written notice of the time when the same will be presented in court

**Section 1934 Filing Bond Recovery Thereon** If approved by the court the security shall be filed for the benefit of those interested and recovery may be had thereon for the amount of damages assessed If the damages [be] are not paid they may be collected by execution on the judgment in the issue framed to try the question Upon the approval of the security the township may proceed with the improvement

**Section 1935 Exceptions to Report of Viewers** Within thirty days after the filing of any report any party interested may file exceptions to the same and the court shall confirm modify or change the same or change the assessments made therein or refer it back to the same or new viewers

**Section 1936 Confirmation of Report of Viewers** When the report is filed the prothonotary shall mark it confirmed nisi In case no exceptions are filed thereto or no appeal taken therefrom he shall enter a decree that the report is confirmed absolutely

**Section 1937 Effect of Exceptions on Confirmation of Report** When exceptions are filed which affect the entire report the same shall not be confirmed absolutely as to any part thereof until the exceptions have been finally disposed of When the exceptions do not affect the entire report the court shall confirm the assessments to which exceptions have not been taken

**Section 1938 Appeals from Confirmations after Exceptions** Within three months after the confirmation of any report following the filing of exceptions thereto any party interested may appeal from the decree of the court below to the Superior or Supreme Court as the case may be

**Section 1939 Effect of Appeals** When any appeal is taken from the action of the court of common pleas confirming any viewers' report or part thereof if the appeal affects the entire report it shall have the effect of suspending the absolute confirmation thereof until the appeal is finally

disposed of but where the appeal is to matters which do not affect the entire report or any other assessment such appeal shall affect only the particular assessment for which the appeal is taken

**Section 1940 Filing Assignments of Error Et Cetera** In order to determine whether any appeal affects the entire report or any particular assessment the appellant shall file in the court below before or at the time of filing his writ of certiorari a copy of his [specifications or] assignments of error or grounds of appeal Upon failure so to do the township or any party interested may by notice or rule upon the appellant cause such [specifications] assignments of error or statement of the grounds of appeal to be filed

**Section 1941 Certificate of Judge of the Court Below** Upon the request of the township or any party interested the court below or any judge thereof in vacation shall certify whether the appeal affects the entire report and said certificate shall be conclusive Where the court or judge certifies that the appeal will affect the entire report no further proceedings shall be taken in the court below until after the final action of the appellate court but where the court or judge certifies that the appeal will affect only a particular assessment then the confirmation of all other assessments shall be final

**Section 1942 Effect of Affirmation of Decree of Court Below** If on any appeal the action of the court below is affirmed the date of the decree of judgment of the appellate court shall be taken as the day on which the report was finally confirmed

**Section 1943 Consolidation of Appeals** Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same the Superior Court may certify such appeal to the Supreme Court to be heard with the other appeals from the same report

The Supreme Court shall consolidate all such appeals and hear them as one case Where several appeals are taken from the confirmation of the same report either to the Superior or Supreme Court and the grounds of appeal are similar the appellate court may consolidate the appeals

**Section 1944 Appellants May Unite in Appeals** Effect Thereof Several parties may unite in a single appeal either to the Superior or Supreme Court where the grounds of appeal are similar but the uniting of the appellants shall not unite the amounts or change the jurisdiction When the appeal is taken by each appellant singly would be to the Superior Court then the appeal shall be to that court but if the appeal of any one appellant would be to the Supreme Court then the joint appeal shall be to that court If an appeal has been taken to the Supreme Court any other party without regard to the amount involved if the grounds of appeal are similar may appeal to the same court and join in such appeal

**Section 1945 Appeals from Reports of Viewers for Jury Trial** Within thirty days after any report of viewers is filed in the court of common pleas any party whose land or property is taken injured or destroyed or [who is assessed benefits] against whom benefits are assessed may appeal to the court of common pleas and demand a trial by jury Several parties may unite in a single appeal and where the grounds of appeal are similar the court may hear such appeals as one proceeding but each party shall in any event be entitled to demand a separate trial by jury Where an appeal is so taken as to a portion of the report the portion not appealed from shall be confirmed absolutely at the expiration of thirty days after the report is filed in court

**Section 1946 Reasons for Appeals to Be Stated** The appeal as provided in the last preceding section shall state the grounds upon which it is taken and shall be signed by the appellant or by his agent or attorney and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Section 1947 Costs Upon the trial of any such appeal in case the party appellant does not obtain a verdict more favorable than was the report of the viewers [as finally confirmed] the appellant shall not recover any costs

Section 1948 Notices Appeals from the Court Below The court of common pleas shall order what notices shall be given in connection with such proceedings and may by rule or otherwise prescribe the form of pleadings After verdict and final judgment either party may within three months appeal to the Superior or Supreme Court

Section 1949 Appeals to the Wrong Court Should any appeal under this article to the Supreme or Superior Court be made to the wrong court such court shall certify the appeal to the court to which it should have been taken

Section 1950 Appeals Not to Prevent Filing Liens No appeal taken [under this article] to any court shall prevent the filing of liens by any township for any assessment made by any such report but upon the final termination of the issue the court shall make such order as to the lien filed as shall appear right and proper

Section 1951 Discontinuance of Proceedings If any township shall repeal any ordinance or discontinue any proceeding providing for any improvement prior to the entry upon taking or injury to any land or property or appropriation of any materials the township shall not be liable to pay any damages which have been assessed but all costs upon any such proceedings shall be paid by the township together with any actual damage sustained by reason of such proceeding

Section 1952 Assessments to Bear Interest All assessments for benefits cost and expenses shall bear interest at six per centum per annum from the expiration of thirty days after they shall have been finally ascertained and shall be payable to the treasurer of the township

Section 1953 Damages to Bear Interest The amount of damages allowed in a report of viewers for the taking injury or destruction of land or property by the exercise of the right of eminent domain shall as finally confirmed bear interest at the rate of six per centum per annum from the date of the [confirmation nisi] filing of the report

Section 43 Article XX and Sections 2001 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 and 2015 are hereby reenacted revised and amended to read as follows

#### Article XX

##### [Roads] Streets [and Highways]

###### (a) Plans of Streets

Section 2001 Every township shall have a general plan of its streets [and alleys] including those which have been or may be laid out but not opened Such plan shall be filed in the office of the engineer or other proper officer of the township and all subdivisions of property thereafter made shall conform thereto No streets [or alleys] or parts thereof laid out or accepted and confirmed on such plan shall afterwards be altered without the consent of the commissioners of the township No plan or plot of streets shall be entered in any public office of the county until approved by the board of township commissioners No person shall be entitled to recover any damages for any improvements placed or constructed within the lines of any street [or alley] after the same has been located or ordained on the plan provided for by this section

(b) Laying Out Opening Widening Straightening Vacating and

Relaying [Roads] Streets et cetera Repairs and Detours

Section 2005 Power to Lay Out Open Widen Vacate Et Cetera The board of township commissioners may enact ordain survey lay out open widen straighten vacate and relay all [roads] streets [lanes and] [alleys] and parts thereof which are wholly within the township upon the petition of a majority in interest of the owners of property or properties through whose land such [road]

street [lane or alley] passes or upon whose land it abuts or without petition of the owners of abutting property if in the judgment of the board of commissioners it is necessary for the public convenience Such power shall include authority to vacate in whole or in part [roads] streets [lanes and alleys] laid out by the Commonwealth where the same have remained unopened for a period of thirty years and also the authority to lay out and open a [public road] street which will be a continuation or extension of a street already opened by an adjacent city [or] borough or township

Section 2006 Burial Grounds Et Cetera Saved No [such road] street [lane or alley] shall be laid out and opened through any burial ground or cemetery nor through any grounds occupied by a building used as a place for public worship or as a public or parochial school or educational or charitable institution or seminary unless the consent of the owner or corporation or person controlling the premises is first secured

Section 2007 Notice of Hearing The board of commissioners shall give ten days' notice to the property owners affected thereby of the time and place when and where all parties interested may meet and be heard Witnesses may be summoned and examined by the board of commissioners and by the parties interested at such meeting or any adjournment thereof

Section 2008 Draft Report After such hearing and a consideration of the matter should the board of commissioners or a majority thereof decide in favor of exercising the power so conferred they shall make written report to gether with a draft or survey of the [road] street [lane or alley] fixing the width thereof and noting the improvements along the line thereof and the names of the owners of property through which the same shall pass or whereon it shall abut Such report and draft shall be filed in the office of the clerk of the court of quarter sessions

Section 2009 Exceptions to Report Any citizen or freeholder of the township may within thirty days after the filing of the report of the board of commissioners upon entering in the court sufficient surety to indemnify the board for all costs incurred in the proceedings file exceptions to the report together with a petition for a review

Section 2010 Appointment of Viewers Upon favorable action on such matter by the board of commissioners and after the expiration of the term allowed for filing exceptions or upon the order of the court upon the disposition of any exceptions if in either case the compensation for the damages or benefits accruing therefrom have not been agreed upon the court of common pleas or any law judge thereof in vacation on application by petition by the board of commissioners or any person interested shall appoint three viewers from the county board of viewers to assess the damages and benefits occasioned by the proceeding in the manner provided by this act for such proceedings

Section 2011 Notices to Be Posted Along Improvement After the passage or approval of any ordinance by the board of commissioners for the opening widening straightening extending or vacating any [road] street [or alley] notice shall within ten days thereafter be given by handbills posted in conspicuous places along the line of the proposed improvement Such notice shall state the fact of the passage or approval of the ordinance and the date of the passage or approval

Section 2012 Width of Public Roads The width of a [public road] street in townships [of the first class] shall not be less than thirty-three feet or more than one hundred and twenty feet unless in any particular case the township commissioners shall determine that a [road] street of lesser width will be sufficient for public use and travel but in no case shall any public [road] street be less than twenty-four feet in width Provided That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills when the limits of the [road] street and the extra width re-

quired for such slopes exceed the limits of width herein specified

Section 2013 Opening and Repairing Roads [Public roads or highways] Streets laid out by lawful authority in townships shall as soon as may be practicable be effectually opened and constantly kept in repair All [public roads or highways] streets shall at all seasons be kept reasonably clear of all impediments to easy and convenient traveling at the expense of the township

Whenever proceedings have been heretofore or may hereafter be begun for the opening and laying out of any [public road] street in any township such [public road] street shall be physically opened upon the ground for use by the public within the period of five years next after the completion of such proceedings and if not so opened then such proceedings shall be deemed to be void and of no effect and the land proposed to be taken shall revert to the owners of the land as in the case of the vacation of a [public road] street free of any easement or right of the public to use the same

Section 2014 Detours Except in the case of emergencies wherein the safety of the public would be endangered no [public road or highway] street in any township shall be closed to vehicular traffic except upon order of the [authorities having charge of the maintenance of such highways] township commissioners nor for a longer period than is necessary for the purpose for which such order is issued Provided however That no [public road or highway] street shall be closed to vehicular traffic when the same has been designated as a detour by the State Department of Highways unless the written consent of the Department of Highways has first been obtained or unless the [authorities having jurisdiction over said road or highway] township commissioners shall by resolution duly recorded on their minutes declare such closing necessary for the protection of the public safety

When any [public road or highway] street shall be closed as hereinbefore provided it shall be the duty of the [authorities] township commissioners authorizing the closing to immediately designate or lay out a detour on which they shall erect or cause to be erected and maintained while such detour is in use legible direction signs at each public road intersection throughout its entire length [indicating the direction to the main highway] During the period when such detour is in use it shall be the duty of the [authorities closing the main highway] township commissioners to maintain such detour in safe and passable condition except in the case of state or county highways It shall also be the duty of the authorities [closing the main highway and] maintaining the detour to immediately remove all detour signs when the [highway] street originally closed is opened for traffic [Said authorities] Except in the case of state or county highways the commissioners shall as soon as possible repair the [road] street designated as a detour and place same in a condition at least equal to its condition when designated as a detour Whenever necessary in the creation of a detour as aforesaid the [authorities] township commissioners responsible for laying out the detour may enter into agreement with the owners of private lands covering the acquisition of right of way privileges over private property for the period when the [main highway] street shall be closed to traffic In the exercise of the rights conferred by this section the [authorities] township commissioners responsible are hereby empowered to pay for the necessary maintenance subsequent repair and land rental out of such funds as are available for the construction and [or] maintenance of the [highways] streets in their charge

Any person who shall wilfully remove deface destroy or disregard any barricade light danger sign detour sign or warning of any other character whatsoever erected or placed under authority of this section or who shall drive on over or across any [highway] street which has been properly closed [by proper authority] shall upon conviction thereof in a summary proceeding before a [magistrate alderman or] justice of the peace be sentenced to pay a fine of not [less than twenty-five dollars nor] more

than one hundred dollars and the costs of prosecution and in default of the payment thereof shall be imprisoned one day for each dollar of fine and costs unpaid Provided however That persons who have no outlet due to the closing of a [highway] street may drive on over or across such [highway] street with the consent in writing of and subject to such conditions as may be prescribed by the [authorities] township commissioners responsible for the closing or their agents or contractors without being subject to the penalties imposed by this section

In addition to the penalties herein provided the [authorities] township commissioners responsible for the maintenance of a [highway] street which has been closed to vehicular traffic or their agents or contractors may in an action at law recover damages from any person or persons who have damaged a [highway] street by driving on over or across the same when it is closed to vehicular traffic in accordance with the provisions of this act

All fines and moneys collected under the provisions of this section shall be paid by the officer receiving the same to the treasurer of the township in which the offense was committed

The commissioners of any township may temporarily close any [township road] street when in their opinion excessive or unusual conditions have rendered such [road] street unfit or unsafe for travel and [immediately] immediate repair because of the time of the year or other conditions is impracticable The [road] street or portion [of road] thereof so closed shall be properly marked at its extremities and a means of passage for the customary users of such road shall whenever possible be provided

Anyone using such [road] street or portion thereof after the same has been properly closed and marked without a permit from the commissioners shall be subject to a penalty of not more than one hundred dollars to be recovered in a summary proceeding The penalties so recovered shall be payable to the treasurer of the township wherein the offense was committed

Section 2015 Laying Out Roads Under the General Road Law All roads partly within townships of the first class where one of the termini of such roads is without the township shall be laid out widened changed or vacated only by the courts of quarter sessions as heretofore in the manner provided by the general road law and the amendments additions and supplements thereto But no such road shall be opened changed widened altered or vacated unless and until the board of commissioners of the township shall have passed a resolution consenting and approving thereto and shall have filed with the clerk of said court a copy of such resolution duly certified by the township secretary All damages and benefits occasioned by such laying out and the subsequent opening thereof or by any such widening changing or vacation shall be assessed collected and paid in the manner provided by the general road law and the amendments additions and supplements thereto Provided That all damages occasioned by such laying out and the opening thereof or by the widening changing or vacating of all roads within townships of the first class shall be assessed collected and paid by such townships of the first class

Section 44 Article XX subdivision (c) of said act is hereby amended by adding thereto Section 2019 as follows  
(c) Dedicated [Roads] Streets [Lanes Alleys] and Drainage Facilities

Section 2019 Scope of Subdivision The provisions of this subdivision (c) of this article shall only apply in case a township shall fail to adopt and enforce land subdivision regulations as provided in Article XXX A of this act and to situations not covered by such regulations

Section 45 Sections 2020 2021 2022 2023 2024 2025 2030 2031 2032 2033 2035 2040 2045 2050 2051 2052 2053 2054 2055 2056 2060 2061 2062 2063 2065 2066 2067 2070 2078 2080 2081 2083 2084 2086 2088 2090 2091 2092 2093 2094 2095 and 2096 are hereby reenacted revised and amended to read as follows

Section 2020 Plans of Dedicated [Roads and] Streets No person shall construct open or dedicate any [road] street [lane or alley] or any drainage facilities in con-

nection therewith for public use or travel in any township without first submitting plans thereof to the township commissioners for their approval. Such plans shall be prepared in duplicate in accordance with such rules and regulations as may be prescribed by the commissioners and shall show the profiles of such [roads] streets [lanes or alleys] the course structure and capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory and also any other or further details that may be required under the rules and regulations adopted by the township commissioners. Before acting upon any such plans the commissioners may in their discretion arrange for a public hearing after giving such notice as they may deem desirable in each case. The township commissioners are authorized to alter such plans or order the same to be altered and to specify any changes or modifications of any kind which they in their discretion may deem necessary with respect thereto and may make their approval of such plans subject to any such alterations changes or modifications but no plans shall be approved until there is a solicitor's report as to municipal liens. Any plans when so approved shall be signed in duplicate on behalf of the township by such officer as the commissioners may designate and an approved duplicate copy shall be filed in the township engineer's office or other proper office where the same shall be available to public inspection. No [road] street [lane or alley] or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans so approved by the commissioners or with further plans subsequently approved by them in the same manner nor until such plan and the approval thereof has been recorded as hereinafter provided.

**Section 201 Appeals where Commissioners Refuse Approval.** In any case where the township commissioners shall refuse to approve any plans submitted to them in accordance with this act any person aggrieved by the action of the commissioners may within thirty days after such action appeal therefrom by petition to the court of quarter sessions of the county which court shall hear the matter de novo and after hearing may enter a decree affirming reversing or modifying the action of the commissioners as may appear just in the premises. The court shall designate the manner in which notices of the hearing of any such appeal shall be given to all parties interested. The decision of the court shall be final.

The action of the township commissioners or of the court on appeal in approving any such plans and an approved duplicate copy of such plans shall be recorded by the person applying for such approval in the office of the recorder of deeds of the county.

**Section 202 No responsibility on Township where Plans not Approved.** If any [road] street [lane or alley] or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans approved as provided in this subdivision neither the township commissioners nor any public authorities shall place construct or operate any sewer drain water pipe or other facilities or do any work of any kind in or upon such [road] street [lane or alley] and neither the township commissioners nor any other public authorities shall have any responsibility of any kind with the respect to any such [road] street [lane alley] or drainage facilities notwithstanding any use of the same by the public unless such [road] street [lane alley] or drainage facilities [are] is accepted by ordinance. Provided however That nothing herein contained shall prevent the laying of trunk sewers drains water or gas mains if required by engineering necessity for the accommodation of other territory. If any person shall open any [road] street [lane or alley] or any drainage facility in connection therewith without submitting and obtaining approval of plans as provided in section two thousand twenty of this act and if the township commissioners shall have no information that such [road] street [lane or alley] or drainage facility in connection therewith shall be intended for public use

or travel the township commissioners may in their discretion file with the recorder of deeds of the county a certificate containing a description of the land served by such [road] street [lane or alley] or drainage facility in connection therewith and a statement that as the township commissioners have not approved such plans neither the township commissioners nor any other public authority shall have any responsibility to furnish any facilities or services with respect to such land or any responsibility of any kind with respect to such [road] street [lane or alley] or drainage facility in connection therewith. The owner of such land shall be designated and indexed as grantor in the records of the office of the recorder of deeds and the township shall be designated and indexed as grantee therein. It shall not be necessary for such certificate to be executed by any other party than the township commissioners filing the same. Nothing herein contained shall be deemed to prevent the township commissioners from enforcing the provisions of this act in any case in which any such [road] street [lane or alley] or any drainage facility in connection therewith is intended for public use or travel.

**Section 203 Entry of Lands.** The township commissioners and their representatives and workmen may enter upon any land and property and maintain marks and monuments so far as the commissioners deem necessary in carrying out their powers and duties of this subdivision.

**Section 204 Penalty.** Any person copartnership or corporation who or which shall construct open or dedicate any [road] street [lane or alley] or any drainage facilities in connection therewith for public use or travel in any township without having first complied with the provisions of this subdivision and of any ordinances or resolutions of the township [authorities] commissioners adopted pursuant hereto shall be guilty of a misdemeanor and upon conviction thereof such person or the members of such copartnership or the officers of such corporation responsible for such violation shall be sentenced to suffer imprisonment not exceeding two years or pay a fine not exceeding one thousand dollars or both in the discretion of the court.

**Section 205 Powers of State and Counties Preserved.** Nothing contained in this subdivision shall be held to restrict or limit the State Department of Highways or any county in the exercise of any of its duties powers and functions under the provisions of any act of Assembly now in force or hereafter to be enacted.

(d) Relocation Alteration and Vacation of [Roads] Streets in or near State Parks

**Section 2030 Agreements to Relocate Alter and Vacate [Roads] Streets in or near State Parks.** Whenever a public road or highway within a park or public ground title to which park or public grounds is vested in the State of Pennsylvania is laid out located relocated altered or vacated in such manner that a [public road or highway] street approaching leading into or contiguous to such park or public grounds shall become either useless inconvenient or burdensome such [public road or highway] street approaching leading into or contiguous to such park or public grounds may be altered relocated or vacated by the township commissioners charged with the duty of maintaining such [roads or highways] streets in whole or in part for the purpose of making it convenient and suitable as an approach to the roads and highways within said park or public grounds upon the consent and agreement of (a) The commissioners or officials charged with the care and management of said park or public grounds (b) the township commissioners charged with the duty of maintaining said [roads or highways] street approaching leading into or contiguous to said park or public grounds and (c) the property owners owning the majority of the frontage of land abutting upon the relocated portion of the [road or highway] street approaching leading into or contiguous to said park or public grounds.

**Section 2031 Agreement to Be Filed in Court.** Effect of

**Filing** The filing of the consent and agreement of commissioners or officials charged with the care and management of such park or public grounds the township commissioners charged with the maintenance of said [roads and highways] streets and of the property owners provided for in the preceding section in the court of quarter sessions of the county or counties in which the altered relocated or vacated [road or highway] street is situate shall have the same force and effect as the filing and the approval and absolute confirmation by the court of quarter sessions of a report of viewers appointed in accordance with the general road law and shall have the same force and effect as though said viewers had laid out located relocated altered or vacated such [road or highway] street in accordance with the agreement filed as aforesaid and the report of said viewers had been filed approved and absolutely confirmed by the court

The filing of said agreement in the court of quarter sessions shall be conclusive as to the question of the necessity for the laying out location relocation alteration or vacation of said [roads or highways] streets as contained in the said agreement and that the portion or portions of said [road or highway] street abandoned or vacated [were] was useless inconvenient and burdensome

**Section 2032 Altered and Relocated [Roads] Streets Declared Township [Roads] Streets** Such [road or highway] street when altered or relocated shall be maintained and repaired in the same manner as other township [roads] streets are maintained and repaired

**Section 2033 Assessment of Damages** The owner of any land through which any [public road or highway] street may be so relocated may apply by petition to the court of quarter sessions of the proper county setting forth the injury which [he or she may have] has been sustained by reason of the relocation of the said [public road or highway] street and the proceedings relative to the assessment and payment of damages of said land owner shall be in accordance with the provisions of this act for proceedings for the assessment of damages and benefits

(e) Elimination of Curves

**Section 2035** Any township may acquire by purchase or by the right of eminent domain such property and lands situate along or adjacent to any township [highway] street as in the opinion of the commissioners of such township may be necessary to eliminate dangerous curves and widen narrow streets for the better protection and safety to the traveling public

Upon any such purchase or condemnation the township commissioners may from time to time abate or remove or cause to be abated or removed any such dangerous curve or curves or widen such narrow street to the extent of the property and land so acquired

The proceedings for the condemnation of such property and lands under the provisions of this section and for the assessment of damages for property or land taken injured or destroyed shall be taken in the same manner as is provided by this act for the condemnation of land by townships

(f) Acquisition of Unobstructed Views at Curves and Intersections

**Section 2040** Any township may acquire by purchase or by the right of eminent domain a free and unobstructed view down and across such lands located at or near the intersection of any two [highways] streets or a [highway] street and a railroad or railway or at any curve in any [highway] street as may be necessary to assure a free and unobstructed view in all directions at such crossings and to so prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of [any person or] persons traveling upon any such [highway] street

Upon any such condemnation the township commissioners having had such view condemned may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

The proceedings for the condemnation of such view

over and across such lands [under the provisions of this act] and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is provided in this act for the condemnation of land by townships

Upon the condemnation of a view [over and across any such lands] the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such dangerous crossing or curve and unless specially provided for in such condemnation proceedings such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

(g) Changing or Altering [Roads] Streets by Agreement with Property Owners

**Section 2045 Improving or Vacating Streets by Agreement** When ever the commissioners of any township deem it advisable to construct change widen relocate or alter any part of any [public road] street under their supervision and can agree with the property owners affected by such change as to damages they may upon payment of damages agreed upon change widen relocate or alter such part of such [public road] street as contemplated in such agreement without the formality of a view

No such [change or alteration] improvement of any part of any [public road] street shall be made the costs and expenses of which to such township including damages shall exceed [three hundred] one thousand dollars A petition setting forth the facts accompanied by a map or draft of such proposed [change] improvement shall be presented to the court of quarter sessions for approval before such actual [change] improvement is made whereupon the new location approved by the court shall be taken to be the [public road] street and the old location shall be vacated

Nothing contained in this section shall be construed to prohibit a township from paying for curbs gutters sidewalks [and] retaining walls and incidental work necessitated by such construction change alteration or widening in cases where the land necessary therefor is dedicated to the township for public use

(h) Grading Draining Curbing Paving Macadamizing [Roads or] Streets on Petition and Assessment of Benefits by Viewers

**Section 2050 Proceeding on Petition** Upon the petition of a majority of property owners in interest or number abutting on the line of any proposed improvement to be verified by the affidavit of at least one of the petitioners a majority in interest of owners of undivided interests in any piece of property to be treated as one person a township may grade curb pave or macadamize or otherwise improve any [road] street or part thereof or which may be in whole or in part boundaries street [or alley] or part thereof or which may be in whole or in part boundaries thereof and provide for the necessary drainage thereof and may also provide for the improvement of any street [road lane or alley] and any sections or parts thereof in length in the space between the curb gutter or actual carriage-way line and the property line either by an original work or improvement thereon or by a change repair renewal or alteration in the said [highway] street curb parking spaces or shade trees or by changing altering renewing replanting pruning or otherwise improving the same in any or all of said particulars The majority in interest or number required for such petitions shall be fixed as of the date of such petition

**Section 2051 Grading Restrictions** In grading a [road] street [lane or alley] it shall be unlawful to raise the [highway] street above the ordinary grade when a drain or culvert is constructed under such [highway] street or where a [highway] street is constructed over such drain or culvert

**Section 2052 Notice** After the passage of any ordinance for the grading curbing paving or macadamizing or otherwise improving any street [or alley] notice shall be

given within ten days thereafter by handbills posted in conspicuous places along the line of the proposed improvement

**Section 2053 Contents of Notice** The notice shall state the fact and the date of the passage of such ordinance that the petition for the improvement was signed by a majority in interest and number of owners of property abutting on the line of the proposed improvement and that any person interested denying the fact that said petition was so signed may appeal to the court of common pleas of the county within thirty days from the passage of the ordinance

**Section 2054 Appeals from Ordinance** Any person interested may within thirty days from the passage of such ordinance present a petition to the court of common pleas of the county setting forth the facts whereupon the court shall determine whether such improvement was petitioned for by the requisite majority. If the court shall find that it was not so petitioned for it shall quash the ordinance but if it shall find that it was so petitioned for it shall approve the same. If no appeal shall be taken or if the court on appeal shall approve the ordinance the township may proceed with the improvement and thereafter all parties shall be estopped from denying the fact that such petition was properly signed

**Section 2055 Assessment of Damages and Benefits by Viewers** On petition viewers shall be appointed as provided in this act who shall assess the damages costs and expenses of such grading curbing paving or macadamizing or parking shade tree planting or changing or altering renewing replanting pruning or improving including the expenses for necessary drainage upon the property benefited according to benefits if sufficient can be found but if not the deficiency when ascertained shall be paid by the township. The proceedings of the viewers and the proceedings on their report shall be as provided in this act for such proceedings

**Section 2056 Assessments to Bear Interest** Collection All such assessments for benefits if not paid within thirty days shall bear interest as provided by this act in such cases and if any such assessment remains unpaid it shall be the duty of the township solicitor to collect the same with interest by action of assumpsit or by a lien to be filed and collected in the manner provided by law for the filing and collection of municipal claims. When an owner has two or more lots against which there is an assessment for the same improvement all of such lots may be embraced in one claim

**(i) Grading Draining Curbing Paving or Macadamizing Streets and Collection of Cost by Foot Front Rule**

**Section 2060 Proceedings With or Without Petition** Townships with petition or without petition may grade curb gutter pave macadamize or otherwise improve [roads] streets [lanes and alleys] or parts thereof or a particular width or additional widths thereof with or without the assistance or contribution of the State county or a corporation occupying the thoroughfare and may assess and collect the whole cost thereof or the whole cost not thus aided or contributed or any part thereof from the owners or real estate abutting on the improvement by an equal assessment on the foot front including the expense of the necessary drainage [Such power may be exercised as to any township road street lane or alley or any State or State-aid highway or county road or highway] The board of commissioners may make equitable adjustments for corner lots or lots of irregular shape where an assessment for full frontage would be unjust. Property not otherwise assessable shall become assessable by the petition of the owner or the owner's representative in all cases where the whole width of the [highway] street is being paved without State or county aid and more than two-thirds of the total cost is proposed to be assessed on abutters the township shall for this purpose be considered as owner of non-assessable property of street [and alley intersections] intersection and of the deducted frontage on equitable adjustments. On petition of owners representing two-thirds of the number of feet

of assessable properties abutting on the proposed improvement the total cost of the improvement or lesser amount if the township desires may be assessed on the assessable properties abutting without any deduction for non-assessable property or street [and alley intersections] intersection or for the equitable adjustments aforesaid. Provided That the petition states that the total cost may be assessed on the abutters

**Section 2061 Grading Restrictions** in grading a [road] street [lane or alley] it shall be unlawful to raise the [highway] street above the ordinary grade when a drain or culvert is constructed under such [highway] street or where a [highway] street is constructed over such drain or culvert

**Section 2062 Notices of Assessments** The secretary of the township shall cause thirty days' notice of the assessment to be given to each party assessed either by service on the owner or his agent or left on the assessed premises

**Section 2063 Collection of Assessments** If any assessment shall remain unpaid at the expiration of the notice it shall be the duty of the township solicitor to collect the same with interest from [the time of] thirty days after the completion of the improvement by action of assumpsit or by a lien to be filed and collected in the same manner as municipal claims. When an owner has two or more lots against which there is an assessment of the same improvement all of such lots may be embraced in one claim

**(j) Road Material Ditches Drains and Watercourses**

**Section 2065 Power to Enter Lands** When [road] material cannot be conveniently obtained by contract at reasonable prices the commissioners of townships may enter upon any land or enclosure within their township lying near the [road] street and dig gather and carry upon the [road] street any stones sand or gravel which they think necessary to make maintain or repair the [road] street. In exercising such right they shall do no unnecessary damage to the owners of the land and shall repair any breaches of fences which they make

**Section 2066 Viewers to Fix Damages** Whenever the commissioners and the owners of any such materials cannot agree upon the price to be paid therefor the value of such materials shall be assessed by viewers to be appointed and to make report as provided in this act in the case of eminent domain proceedings

**Section 2067 Ditches Drains and Watercourses Approval of Plans** No person shall stop fill up confine pave or otherwise interfere with any drain ditch watercourse or drainage facilities in a township without first submitting suitable plans thereof to the township commissioners for their approval. Such plans shall be prepared in accordance with such rules and regulations as may be prescribed by the commissioners and shall show the exact nature of the work to be performed. Before acting upon any such plan the commissioners may in their discretion arrange for a public hearing after giving such notice as they may deem desirable in each case. The commissioners are authorized to alter such plans and to specify any changes or modifications of any kind which they in their discretion may deem necessary with respect thereto and may make their approval of such plans subject to any alterations changes or modifications. Any plans when so approved shall be signed on behalf of the township by such officer as the commissioners may designate and shall be filed in the township offices where the same shall be available for public inspection. No drain ditch watercourse or drainage facilities shall be constructed altered stopped filled up confined paved or otherwise interfered with except in strict accordance with plans so approved by the commissioners or with further plans subsequently approved by them in the same manner. No township shall have any responsibility with respect to conditions arising as a result of the failure on the part of any person to comply with the requirements of this act

The township commissioners may enter upon any lands or enclosures and cut open maintain and repair such drains or ditches through the same as in their judgment

are necessary to carry the water from the [roads] streets [lanes or alleys]

[If any person] Any person who shall stop fill up or confine pave or otherwise interfere with any such drain or ditch watercourse or drainage facilities or shall divert or change the course thereof without the approval of the commissioners as herein provided [such person] shall [be guilty of a misdemeanor and] upon conviction thereof in a summary proceeding [shall] be sentenced to pay a fine not exceeding [one thousand dollars or suffer imprisonment not exceeding two years or both in the discretion of the court] twenty-five dollars for each offense and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days

Nothing contained in this section shall be held to restrict or limit the State Department of Highways or any county in the exercise of any of its powers and duties under the provisions of any law of this Commonwealth nor to obviate the necessity of securing the consent of the Water and Power Resources Board where required by existing law

(k) Trees Shrubbery and Obstructions Within Limits of [Highways] Streets

Section 2070 In order to provide for easy and convenient traveling upon the public [highways] streets the township commissioners may cut alter or remove any trees shrubbery underbrush refuse or obstructions within the legal width of any public [road] street [lane or alley] or any part thereof. All logs cordwood or other forms of wood derived from the destruction or removal of any trees growing along such [highways] streets shall become the property of the abutting owners provided that such abutting owners shall within ten days after notice from the township remove such logs cordwood or other forms of wood from the legal width of the [highway] street. In the event of their failure to do so they shall forfeit all interest therein and the same may be disposed of as the township commissioners deem proper

(1) Protection of [Highways] Streets from Snowdrifts

Section 2078 Whenever any [roads] streets or [highways] in townships are so located as to render them liable on account of high wind during the winter season to be so filled with snow as to make them impassable and in the judgment of the commissioners such drifts of snow can be avoided by the removal of any fence erected along either side of such [road] street [or highway] and replacing the same by a fence constructed of posts wire and boards or rail combined such commissioners may agree with the owners of such fences upon a plan for the erection of a fence constructed of posts wire and board or rail combined. The township may pay the owners of such fences a sum not to exceed the first cost of the wire used in the construction of such fences. The wire used in the construction of such fences shall be without barbs. This section shall not apply to any stone wall hedge or ornamental fence

Any township which is responsible for the maintenance of any [public road or highway] street shall have authority to enter upon private property adjacent to such [public road or highway] street and place thereon a snow fence at any point as may be deemed necessary to within a limit of one hundred (100) feet from the right of way line of such [public road or highway] street in order to eliminate snow drifting on the traveled portion of the [public road or highway] street

No such snow fence authorized shall be placed prior to November first nor shall the same remain in place after April first of the succeeding year unless the written consent of the owner of the adjacent property is obtained agreeing to an extension of time for the removal of said snow fence

If the township shall not be able to enter into an agreement with the owner of the adjacent property occupied by such snow fence as to the amount of damages sustained as a result of said fence being placed and removed the owner may petition the court of common pleas of the county for the appointment of viewers to

ascertain the amount of damage incurred in such case in the manner provided in this act for eminent domain proceedings. Such damages if any when ascertained shall be paid by the township. Any funds available for the construction and maintenance of [public roads or highways] streets shall be available for the payment of such damages

(m) Guideposts and Index Boards

Section 2080 Duty to Erect The commissioners of [townships] the township shall erect posts at the intersection of all [public roads] streets and at one of the angles where any [public road] street crosses another [public road] street or highway and shall firmly fix thereon boards or metal signs with index hands pointing to the direction of such [roads providing that] street but if a tree trolley pole telephone pole telegraph pole or building is so erected that it can be used in place of a post and permission has been secured from the owner thereof such tree pole or building may be used in place of a post. On such boards and signs shall be inscribed in large and legible characters the name of the town village or place to which such [roads] streets lead and the distance thereto computed in miles [Provided That where] Where any [public highway] street intersects or crosses a State highway application for a permit shall be made by the commissioners to the State Department of Highways for the erecting of such signs

Section 2081 Penalty for Destroying It shall be unlawful for any person to wilfully destroy remove injure or deface any guidepost or sign or index board erected upon or near any [public] street [road] or bridge by the authorities of any township or erected with the consent of the authorities having jurisdiction over such street [road] or bridge by any club association or other organized body for the direction guidance or safety of travelers. Any person violating any of the provisions of this section shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than ten dollars and not more than twenty-five dollars with all costs of prosecution together with the value of such sign so destroyed removed or defaced and in default of such payment shall be sentenced to imprisonment of not more than ten days. Fines and moneys so collected shall be paid to the township treasurer. [In default of payment of said fine costs and expenses he shall undergo an imprisonment in the county jail for not less than five nor more than sixty days]

(n) [Highways] Streets Crossing Railroad Special Uses of [Highways] Streets

Section 2083 Railroad Crossings Every township constructing a [highway] street across a railroad shall construct the same above or below the grade thereof unless permitted by the public [Service] Utility Commission to construct the same at grade

Any such crossing of a railroad by a [highway] street or any vacation of any [highway] street crossing a railroad shall be constructed only in the manner prescribed by and under the jurisdiction of the Public [Service] Utility Commission [The] In such cases compensation for damages to the owners of adjacent property taken injured or destroyed shall be ascertained fixed and paid in the manner prescribed in the Public [Service Company] Utility Law

Section 2084 [Highway] Street Permits No railroad or street railway shall hereafter be constructed upon any township [highway] street nor shall any railroad or street railway crossings nor any gas pipe water pipe electric conduits or other piping be laid upon or in nor shall any telephone telegraph or electric light or power poles or any coal tipples or any other obstructions be erected upon or in any portion of a township [highway] street except under such conditions restrictions and regulations and subject to the payment of such fees for permits as may be prescribed and required by the board of township commissioners not exceeding the reasonable cost of issuing the permit and expense of inspecting the work

authorized by such permit upon completion thereof All fees so collected for permits shall be paid into the township treasury

(o) County-aid in the Improvement of Township [Roads] Streets

Section 2086 Whenever the owners of the majority of the assessed valuation of real property within any township desire any principal [road or highway] street within the township to be improved and maintained at the joint expense of the county and township they may petition the commissioners of the township for said improvement and require them to make application to the county commissioners for such improvement and maintenance in accordance with the provisions of existing law

In all cases where the township commissioners refuse to act upon or unduly delay action on any petition for the improvement and maintenance of any [road or highway] street any citizen taxpayer of the township or county may by petition present the facts of the matter to the court of quarter sessions requesting the court to order such action thereon as the case may require If after due hearing had before said court it shall appear that the truth of the matters alleged in the petition are sustained the court shall make an order directing the township commissioners to forthwith act upon said application or applications and that the said application or petition for the improvement be forthwith forwarded to the county commissioners

(p) Penal Provisions

Section 2088 If any person working upon any [road or highway] street in any township or if any one in company with such person shall ask money or reward or by any means whatever shall extort or endeavor to extort any money intoxicating drink or other thing from any person traveling upon or near such [road or highway] street the person so offending shall for every such offense forfeit and pay a sum not exceeding five dollars

If any township commissioner shall connive with any person so asking demanding or contriving to extort money intoxicating drink or any other thing from any person traveling as aforesaid such commissioner shall for every such offense forfeit and pay a sum not exceeding ten dollars

If any person shall stop or obstruct any [public road or highway] street in any township or shall commit any nuisance thereon by felling trees making fences turning the road or in any other way and shall not on notice given by the township commissioners forthwith remove the obstruction or nuisance and repair the damages done to such [road] street such person shall for every such offense forfeit and pay a sum not more than twenty-five dollars Nothing in this section shall debar an indictment for any such nuisance as in case of misdemeanor at common law

All penalties provided for in this section shall be recovered by summary proceedings for the use of the township

(q) Opening Making Amending and Repairing [Highways] Streets and Bridges by Contracts with Taxpayers

Section 2090 Taxpayers' Rights Any [One or More Taxpayers] Taxpayers of any township may acquire the right to furnish all the materials and labor necessary for opening making [amending] and repairing the [public highways] streets and bridges of such township in the manner and under the conditions set forth in this subdivision of this act

Section 2091 Petition to Court To acquire such right [Such Taxpayers] Any Such Taxpayer shall before the beginning of the township fiscal year present to the court of quarter sessions a petition setting forth that he [she or they are] is the owner of property assessed and taxes [for road purposes] in such township the approximate number of miles of [public road] streets in such township and the ability of the petitioner [or petitioners] to lay out open make [amend] and repair the [public

highways] streets and bridges of such township wholly at his [her its or their] own expense for the ensuing township fiscal year or fiscal period and to pay the other expenses of such township as hereinafter provided without any right against or claim upon such township for or by reason of the materials labor or money so furnished

Section 2092 Bond of [Petitioners] Petitioner The [petitioners] petitioner shall with the petition present a bond to the township in the sum of ten thousand dollars or in a sum equal to five hundred dollars for each mile of public [road] street in the township whichever shall be greater with one or more sufficient sureties to be approved by the court conditioned for the faithful performance by said petitioner [or petitioners] of his [her its or their] duty and to save the township harmless from any loss or claim by reason of failure so to perform said duty

Section 2093 Notice to Commissioners and Auditors Notice of the intention of presenting the petition and bond and of the time when said petition and bond will be presented to the court shall be given to the commissioners and auditor or controller of the township at least ten days before the same are presented

Section 2094 Contracts Stipulations When the petition bond and proof of the notice required in the preceding section are presented to the court the same shall be ordered filed and the court being satisfied of the good faith of the [petitioners] petitioner and the sufficiency of the petition bond and notice shall order and direct the commissioners on behalf of the township to enter into a contract with the petitioner [or petitioners] In such contract the petitioner [or petitioners] shall bind [him her or itself or themselves] himself

First To open make [amend] and repair the [public highways] streets and bridges of the township for the ensuing fiscal year or fiscal period in a lawful and workmanlike manner wholly at the expense of the petitioner [or petitioners] and without creating thereby any claim upon or right against the township for or by reason of the materials labor or money for persons employed

Second To indemnify and save harmless the township from all claim damage cost or expense of whatever kind for or by reason of any act or omission of said petitioner [or petitioners] whereby any claim suit or other demand may be set up or recovered against the township

Third To pay within sixty days from the beginning of the fiscal year to the following officers of such township the following sums to be received by said officers in full for all demands against such township for their respective services as such officers of the township for the fiscal years for which the said contract is made which shall be in lieu of the compensation otherwise in this act provided for such officers namely To each township secretary the sum of fifty dollars to the auditor or controller of such township the sum of twenty-five dollars to an attorney to be elected by such commissioners as counsel for the township the sum of fifty dollars to each commissioner the sum of one hundred dollars

Section 2095 [Road] Street Tax to Be Levied In consideration of the obligations set out in the preceding section to be assumed and performed by the petitioner [or petitioners] the commissioners on behalf of such township shall stipulate that the township will not assess levy or collect any tax for [road] street purposes during the fiscal year for which such contract is made

Section 2096 Inspection The commissioners shall view and inspect the making and repairing of the [roads] streets in such township at least once during every month and satisfy themselves that the [petitioners have] petitioner has fully complied with [their] his contract before final settlement and expiration of contract If at any time the commissioners shall see that any portion of the [roads] streets need repair they shall notify the [petitioners] petitioner to repair the same In case said [petitioners fail] petitioner fails to repair said [road] street within five days after notice the commissioners are empowered to purchase such materials and employ such men as may be necessary to repair such [road] street and charge the same to the [petitioners] petitioner

Section 46 Article XXI and sections 2101 2105 2110 2115 2120 2125 and 2130 are hereby reenacted revised and amended to read as follows

#### Article XXI

##### Boundary Roads and [Highways] Streets

(a) Opening Repairing and Improving Streets on Division Line of Townships

Section 2101 Roads or [highways] streets laid out on a line which divides [two townships] a township of the first class and another township shall be opened made kept clear and in repair at the joint and equal charge of such townships Any township necessarily incurring more than its due proportion of such charge may recover the excess so incurred from the other township

When any public road or street is laid out on the line of two townships if the commissioners or supervisors of either township neglect or refuse to join with the commissioners or supervisors of the other township in opening or repairing such road or street the commissioners or supervisors of the other township shall open [amend] and repair the road or street and are authorized to collect a just proportion of the cost of the opening and repairing of such road or street from the township so neglecting or refusing to join in such opening or repairing The commissioners or supervisors so neglecting or refusing shall be liable to a penalty of [not less than four dollars and] not exceeding fifty dollars to be recovered in a summary proceeding All such penalties when recovered shall be paid into the township road fund

(b) Maintenance of [Roads] Streets between Township and Cities or Boroughs

Section 2105 Whenever any [road or] street is on the boundary line between any township and any city or borough such [road or] street shall be maintained jointly by the city or borough and the township For the purpose of maintaining any such [road or] street the authorities of any such township are hereby directed to enter into agreements with such city or borough providing the manner in which the same shall be maintained and providing for the division of the cost of maintenance between the city or borough and township If any such city or borough and township shall fail or refuse to enter into any such contract or if the city or borough and township cannot agree any taxpayer or the [corporate authorities] township commissioners of the township may present a petition to the court of quarter sessions of the county setting forth the facts and the court after hearing of which such notice shall be given to all parties interested as the court may direct shall make an order directing the manner of such maintenance and the division of the cost of maintenance between the city or borough and the township The action of the court shall be final

(c) [Highway] Street the Centre Line of which is the Dividing Line between Townships and Boroughs or Cities in the Same County

Section 2110 Whenever the centre line of any [highway] street constitutes the dividing line between a township and any city or borough located in the same county the commissioners of the township may jointly with the county enter into a contract with the city or borough providing for the grading curbing and macadamizing or paving of such [highway] street

Such alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the city or borough in compliance with the laws governing the construction of such alterations or improvements in such city or borough and with plans and specifications to be agreed upon in writing between the commissioners of the township and the city or borough and the commissioners of the county

The cost of any alteration or improvements shall be borne one-half by the city or borough and one-half by the county and township in equal portions

The cost of repairs shall be borne one-half by the city or borough and one-half by the township or by the

county and township in equal portions or such other proportions as are agreed upon in the joint contract of the township with the county

(d) [Highway] Street the Centre Line of which is the Dividing Line between Townships and Cities in an Adjacent County

Section 2115 Whenever the centre line of any [highway] street constitutes a dividing line between a township and a city located in an adjacent county it shall be lawful for the township commissioners to enter into a contract with the county in which it is located and with the city providing for the grading curbing, macadamizing or paving of the roadway of said [highway] street the cost thereof to be borne one-half by the city and one-half by the township and the county in which such township shall be situated in equal portions

The said alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the said city in compliance with existing laws governing such construction or improvement of such city and in further compliance with plans and specifications to be agreed upon in writing between such city and the commissioners of the county and the township commissioners of the said township The cost of repairs shall be borne one-half by the city and one-half by the township or by the county and township in equal portions or such other proportions as may be agreed upon by the county and township

In all cases in which it shall be found impossible to enter into such contract or agreement as is provided for in this section or where either the city or the township or the county in which such township is situated shall refuse to enter into such contract or agreement it shall be lawful for the township to present its petition to the court of common pleas of either county setting forth the facts and circumstances including the condition of the [highway] street from which the necessity or desirability for the grading curbing macadamizing or paving of the roadway appears and the estimated cost thereof and that the terms of the said contract as provided for in this section cannot be agreed upon by the said city and the county or township or either or any of them refuses to enter into such contract Such petition may pray that such court may after hearing all the parties concerned make its order or decree defining the nature and character of the improvement reasonably necessary or desirable to be made to the roadway and requiring the parties hereinabove specified to enter into a contract or contracts for the making and constructing of the same as herein provided for A copy of the said petition duly certified shall be served upon the city or the county and township concerned other than the petitioner with notice of such day as may be fixed by the court for the hearing Thereupon either or both of the parties served with such notice shall be entitled on or before such date to file in the said court its answer to the said petition setting forth its version of the facts or such other matters in relation thereto as may be deemed necessary or proper by it The said court upon the date so fixed or at such other time as it may appoint shall hear the evidence of the parties or it may refer the matter to a master who shall hear the testimony of the parties and report his findings in the same manner and under the same procedure as provided by the rules in equity in similar cases to the said court which may reject confirm or modify the same and may make its decree or order directing the making of such alterations or improvements to the roadway as may be deemed reasonable necessary or desirable and providing for the sharing of the cost of such improvements one-half by the city and one-half by the county and township in equal portions The said order or decree may further provide that the repairs to such alterations and improvements subsequently required shall be borne one-half by the city and one-half by the county or township in equal portions or such other proportions as between the county and the township as such court may find to be legal and proper and thereupon the said grading curbing macadamizing or paving of the roadway of such [highway] street shall proceed in accordance with the

decree or order of the said court in the same manner as if the contract or agreement provided for in this section had been entered into and duly executed

(e) Improvement of Street where more than One-Half of Width is in Township Assessment of Property outside Limits

Section 2120 Whenever any street [alley or highway] or road more than one-half the width of which is within the limits of any township shall divide the said township from any other municipality or township located within the same county such street [alley or highway] or road may be improved by the township within which the greater width is located in the same manner as if the said street [alley or highway] or road were entirely located within the limits of said township

The property abutting on the side of said street [alley or highway] or road which is located outside the limits of the township making such improvements shall for a depth of one hundred and fifty feet plus one-half the width of said street [alley or highway] or road from its center line be assessed for any and all municipal improvements to or on the said street [alley or highway] or road in the same manner as such property would be assessed under this act if it were entirely located within the limits of such township

(f) Assessment of Property outside Limits of Township for Street Improvements

Section 2125 Whenever any street [or alley entirely within the limits of any township] shall divide such township from any other municipality or township located in the same county the property on the side of the street [or alley opposite] outside the line of such township shall for a depth of one hundred and fifty feet be assessed for municipal improvements on such [streets or alleys] street on which property shall abut Such assessment shall be made in the same manner and in the same proceeding as is used for the assessment of property within such township for such improvement

(g) Grading Curbing Paving Macadamizing Boundary Streets Et Cetera

Section 2130 Townships may enter into agreements with adjoining boroughs for the grading paving and curbing or macadamizing of streets [and alleys] which may be boundaries between such townships and boroughs and may provide in such contract that the damages costs and expenses of such improvement shall be divided between such townships and boroughs in proportions agreed upon

In grading paving and curbing or macadamizing any such [streets or alleys] street townships shall exercise such power only upon petition of a majority of the property owners in interest and number abutting the line of the proposed improvement within the township limits to be verified by the affidavit of one of the petitioners a majority of interest of owners of undivided interest in any piece of property to be treated as one person asking that such improvement be made

The portion of the damages costs and expenses agreed to be paid by any township shall be ascertained and the benefits incident thereto shall be assessed and collected in the manner provided in this act for the assessment of damages and benefits by viewers

Section 47 Article XXII and sections 2201 2205 2206 2210 2211 2220 2221 2222 and 2225 of said act are hereby reenacted revised and amended to read as follows

#### Article XXII

##### Bridges and Viaducts

(a) As Part of [Road] Street [Highway Lane or Alley]

Section 2201 Whenever in the opening grading or improving of any [road] street [highway lane or alley] in any township it is necessary to erect or construct any bridge and the piers abutments and approaches therefor the same may be erected and constructed by the township as part of such [road] street [highway lane or alley] In any such erection or construction the township may take use and occupy private property All damages shall be awarded and benefits assessed as part of the proceeding to

open grade or improve the [road] street [highway lane or alley] of which the bridge is a part

(b) Over Railroads

Section 2205 Power to Construct Townships may build or purchase existing bridges or viaducts over railroads rivers creeks streams and private property or over railroads and any of them or over railroads only whether the bridges or viaducts are wholly or partly within the township limits for the purpose of uniting two or more streets [or highways] or a street and a road or a highway or separate portions of the same street [or highway] Such bridges and viaducts must in all cases cross railroads Such bridges and viaducts and the approaches thereto shall be constructed and the damages in connection therewith paid as provided by the Pennsylvania Public [Service Company] Utility Law

Section 2206 Maintenance Such viaduct or bridge shall be maintained as a township structure and the township structure and the township is authorized to contract with any party interested except the county for the maintenance of the same

(c) Over Marshy or Swampy Grounds Creeks Rivulets Gullies Canals and Railroads

Section 2210 Power to Make and Maintain The commissioners of townships in making and repairing the [roads] streets shall make and maintain within their township sufficient bridges over all small creeks rivulets deep gullies canals and railroads where the same is necessary for the ease and safety of travelers

Such bridges over canals or railroads shall not obstruct the railroad or canal over which it is built Nothing in this section shall release railroad or other companies or the Commonwealth from the requirements of existing laws

Section 2211 Damages In the constructions and maintenance of such bridges all damages shall be awarded and benefits assessed as part of the proceeding to lay out open make or repair the road of which the bridge is a part

(d) Over Streams Railroads and Canals on Township Boundaries

Section 2220 Bridges on Division Line of Townships Where a small creek or a railroad or canal over which a bridge is necessary is on the boundary line of two townships the bridge shall be built and maintained at the joint and equal expense of the townships by their respective commissioners or supervisors in the manner directed by this act in the case of [public] streets or roads which may be the division line of townships

Section 2221 Bridges between Townships and Municipalities Whenever a creek railroad or canal over which a bridge is necessary is on the division line of a township and a municipality the township shall unite with such municipality in the construction and maintenance of such bridge and pay an equal share of the expenses incident thereto

Section 2222 Bridges Over Railroad or Canal If a bridge is built over such boundary railroad or canal by virtue of the provisions of the preceding section of this act such bridge shall not obstruct the railroad or canal over which it is built Nothing in said section shall release railroad or other companies or the Commonwealth from the requirements of existing laws

(e) Maintenance Repair and Rebuilding of Bridges Built by County

Section 2225 Whenever a bridge or part thereof has been built by the county or the whole or part of the money necessary to build it has been furnished by the county and the bridge has not been entered on record as a county bridge such bridge shall be maintained kept in repair and rebuilt when necessary by the township or townships in which or on the boundary line of which it is located without rendering the county liable for the same

Section 48 Article XXIII and sections 2301 2302 2303 and 2304 are hereby reenacted revised and amended to read as follows

#### Article XXIII

##### Sidewalks

Section 2301 Power to Lay Out Ordain and Establish

Grades Townships may lay out ordain and establish sidewalks along any [public road] street [lane or alley] including State [and State-aid] highways and county roads and may establish grades for such sidewalks which grades may be separate and apart from the grade established for the street or highway and for this purpose any township may acquire land by purchase gift or by the right of eminent domain

Section 2302 Width The width of any sidewalk shall be fixed by the township commissioners either by ordinance or resolution

Section 2303 Paving and Curbing Sidewalks Townships may upon such notice as may be provided by ordinance require owners of property abutting on any [public road] street [lane or alley] including State [and State-aid] highways and county roads to construct pave curb repave and recurb the sidewalks along such property with such materials at such grades and under such regulations as may be prescribed by ordinance and upon failure of such owners to comply with such notice or without notice to the property owners as above provided the townships shall in either case have power to cause the same to be done by the township and to levy and collect the cost thereof from such owners of property abutting such sidewalk

The cost of any such grading paving curbing repaving and recurring shall be a lien upon the premises from the time of the commencement of the work which date shall be fixed by the township engineer and shall be filed with the township secretary Any such lien may be collected by action in assumpsit or by lien filed in the manner provided by law for the filing and collection of municipal claims

The cost of any such paying curbing repaving and recurring may in any case be borne in whole or in part by the township

No sidewalks shall be established and constructed upon any State highway without the consent of the State Department of Highways or upon any county road without the consent of the county commissioners

Section 2304 Repair of Sidewalks The owner of the abutting property shall keep the sidewalk together with any portion of his property paved and used as a sidewalk or public walk immediately in front of his property in good order and repair and at all times free and clear of all obstruction to safe and convenient passage and free of any merchandise placed there for display if the removal thereof is ordered by the township commissioners If the owner of any property neglects to perform the duty so required of him the township commissioners may serve written notice upon him requiring him to do what is necessary If such property owner fails to comply with the requirements of such notice within thirty days from the date of its service the township commissioners may make the necessary repairs or remove any obstruction The cost of the same together with a penalty of ten per centum shall be paid by the delinquent property owner and may be collected by action of assumpsit or the township commissioners may file a municipal lien against the property The notice provided for in this section may be served on the property owner by leaving the same at his place of residence or if he has no residence in the township then by posting the same on the premises and mailing a copy thereof to the owner at his last known address

Section 49 Article XXXIV and Sections 2401 2401.1 2402 2403 2404 2405 2406 2407 2408 2409 2410 2415 2420 2425 2430 2431 2435 2436 2440 2441 and 2445 of said act are hereby reenacted revised and amended to read as follows

#### Article XXIV

##### Sewers and Drains

(a) Establishing and Constructing Sewer and Drainage Systems Sewer Connections and Rates Disposal of Sewage Assessment of Cost of Construction

Section 2401 Power to Establish and Construct Sewers and Drains Require Connections Sewer Rentals Townships may establish and construct a system of sewers and drainage locating the same as far as practicable along and within the lines of the public [roads] streets and highways

of the township as seem advisable to the commissioners The township commissioners may permit and where necessary for the public health by ordinance require any owner of property abutting on or adjoining any street [or alley] or highway in which is a sewer to make connections with such sewer or drainage in such manner as the commissioners may order for the purpose of discharge of such drainage or waste matter as the commissioners may specify The township commissioners may by penalties enforce any regulation they may ordain with reference to any sewer or drainage connections All connections required shall be uniform All persons so connecting may be required to pay in addition to the cost of making such connections a monthly or annual rate prescribed by ordinance Such monthly or annual rate shall constitute a lien until paid against the property so connecting with such system and the amount thereof may be recovered by due process of law

Nothing in this section shall be construed to repeal or modify any of the provisions of the Public [Service Company] Utility Law

Section 2401.1 Sewer and Drainage Systems Constructed by any Municipality Authority Connection by Owners Enforcement Whenever a sewer or drainage system is established or constructed by any municipality authority within a township [of the first class] the township commissioners shall be empowered by ordinance to compel all owners of property abutting on or adjoining any street or [alley] highway in which such sewer or drainage system is located to make connection with such sewer or drainage system in such manner as they may order for the purpose of discharge of such drainage or waste as they may specify The township commissioners may by ordinance impose penalties to enforce any regulation or order they may ordain with reference to any sewer or drainage connections

Section 2402 Location of Sewers on Private Property Where it is reasonably impracticable in the judgment of the commissioners in any part of such system to carry such sewers or drains along the lines of public [roads] streets or highways the commissioners may locate and construct so much of the same as is necessary through private lands and may acquire the necessary land or right of way for such purpose by gift purchase or by the exercise of the right of eminent domain

Section 2403 Treatment Works and Facilities Therefor The commissioners shall make the necessary provisions for the disposition of the sewage and drainage within or for carrying the same beyond the limits of the township and to this end they are hereby authorized to enter into contracts with other municipalities and other corporations or persons to purchase acquire enter upon take appropriate occupy and use such lands rights and interests therein within the corporate limits of other townships or boroughs as shall be necessary for the proper location construction maintenance use and operation of sewer mains drains or [disposal plants] treatment works including such lands rights and interests therein as shall be necessary for future additions to and enlargements of such sewage or drainage facilities and as may be necessary to carry out the plans and specifications upon which a permit has been issued by the Secretary of Health in accordance with [the provisions of the act of April twenty-second one thousand nine hundred and five entitled "An act to preserve the purity of the waters of the State for the protection of the public health" and of "The Administration Code"] law

Section 2404 Entry on Lands to Mark Sewer Routes Damages In the event of inability to agree with the owners either for the land necessary for so much of the line of sewers and drains as are not located upon public roads streets or highways or for so much land as is required for the disposition of the sewage or drainage the commissioners may enter upon said land and mark thereon the route and width necessary for the construction of the line of sewers or drains or the boundaries of so much land as is necessary for the disposition of such sewage or drainage and occupy the said land for such purposes For all damage done or suffered or which accrues to the owner or

owners of such land by reason of the taking of the same the funds of the township raised by taxation shall be pledged and deemed as security Such damages shall be determined by viewers in the manner provided in this act for eminent domain proceedings

**Section 2405 Enforcement of Judgment for Damages** The damages as awarded when the report of viewers is finally confirmed shall be entered as a judgement and if the same is not paid within thirty days after the entry thereof execution to enforce the collection thereof may be issued as in other cases of judgment against townships

**Section 2406 Cost of Construction How Paid** The cost of construction of any system of sewers or drains constructed by the authority of this subdivision of this act may be charged upon the properties accommodated or benefited thereby to the extent of such benefits or may be paid for wholly or partially by general taxation Any amount not legally chargeable upon properties benefited shall be paid out of the general township fund

**Section 2407 Sewer Districts** Whenever a sewer system is constructed by a township for the accommodation of a certain portion only of the township the commissioners of such township may constitute the territory accommodated into a sewer district or divide it into several sewer districts In every such case of division into several districts the commissioners shall make an estimate of the proportion of the cost of the sewer system which should equitably be charged on each of said districts and declare and establish such apportionment by ordinance No district shall be charged with more than its due proportion of the cost of the main sewers pumping stations treatment works et cetera used jointly by more than one district The aggregate amount charged on property in any such district shall not exceed the amount of such estimate Where the whole of the township is accommodated by the system it may also be treated as a single district or divided into districts and be subject to the foregoing provisions

**Section 2408 Manner of Assessment** The charge for any such sewer system construction in any township shall be assessed upon the properties accommodated or benefited in either of the following methods

(a) By an assessment pursuant to township ordinance of each lot or piece of land in proportion to its frontage abutting on the sewer allowing such reduction in the case of properties abutting on more than one sewer as the ordinance may specify No assessment by frontage shall be made on properties of such a character as not to be lawfully subject to such manner of assessment and each abutting property shall be assessed with not less than the whole amount of the benefit accruing to it and legally assessable

(b) By an assessment upon the several properties abutting on the sewer in proportion to benefits The amount of the charge on each property shall be ascertained as provided in this act for the assessment of benefits

When a township is divided into sewer districts the assessment in each district may be by different methods

**Section 2409 Procedure for Assessment of Benefits** In all cases where the township commissioners shall select method provided by subdivision (b) of the foregoing section they shall petition the court of common pleas for appointment of viewers to assess benefits In all cases where they shall neglect for a period of three months after the completion of the sewer system to either ordain assessments by frontage or present a petition for appointment of viewers taxpayers of the township whose property valuation as assessed for taxable purposes within the township shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township may present a petition to the court of common pleas of the proper county for the appointment of viewers to assess benefits and in all cases where such taxpayers shall within three months of the adoption of any ordinance levying an assessment under the method provided by subsection (a) of said section by petition state to said court that such assessment in-

sufficiently represents the benefits accruing to abutting properties they may include in such petition a prayer for the appointment of viewers to assess benefits In either case the said court shall thereupon appoint three disinterested persons from the county board of [county] viewers neither of whom shall be a resident of that portion of the township which is accommodated by the sewer in question and the viewers so appointed shall proceed as provided in this act for proceedings for the assessment of damages and benefits by viewers The aggregate of the assessments in any sewer district shall not exceed the amount charged in such district for its share of the cost of the sewer system construction unless the same shall by petition of taxpayers whose property valuation as aforesaid shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township presented within three months after the adoption of an ordinance providing for an assessment by frontage be stated to insufficiently represent the amount of benefits to such properties in which case the proceedings by taxpayers authorized above shall be applicable Upon the filing of such a petition by taxpayers as aforesaid for appointment of viewers any assessment made by the commissioners and any proceedings thereunder shall be null and void

**Section 2410 Lien for Assessments Costs of Proceedings** After the amount of the assessment charged upon the several properties has been established either by ordinance making assessments according to frontage or by confirmation of any report of viewers in whole or in part it shall be the duty of the township commissioners to file municipal liens for the assessments covered by such ordinance or confirmation within the time and in the manner provided by law the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens The amounts of all assessments shall be payable to the township treasurer for the use of the township The commissioners shall also make out bills for the amounts charged against each property which shall be forthwith sent to all property owners residing in the township and mailed to all such owners residing elsewhere whose address is known The costs of publication of notices in proceedings before viewers shall be paid by the township upon presentation of bills approved by the court

**Section 2411 Assessment of Property Outside Limits of Townships for Sewers** Whenever any sewer is located in any street dividing such township from any other municipality or township located in the same county the property on the side of the street outside the line of such township for a depth of one hundred fifty feet shall be assessed for sewers on such street on which property shall about such assessment shall be made in the same manner and in the same proceeding as is used for the assessment of property within the township for such sewers

(b) Acquisition of Sewer System from Private Interests Distribution of Costs

**Section 2415** Any township in which any person firm or corporation or other township or municipal corporation is maintaining sewers and culverts with the necessary inlet and appliances for surface and under surface and sewage drainage may become the owner of such sewers culverts inlet and appliances by paying therefor the actual value of the same at the time of the taking by the township

In case the commissioners of the township cannot agree with the owners of such sewers as to the price to be paid therefor the commissioners may enter upon and take possession of such sewers culverts inlets and appliances For all damage done or suffered or which accrues to the owner or owners of such sewer by reason of the taking of the same the funds of the township raised by taxation shall be pledged and deemed as security such damages to be determined by viewers in the manner provided by this act for eminent domain proceedings If any

sewer or sewer system is acquired by purchase under the provisions of this section the cost of such acquisition may be distributed or assessed in the same manner as if such sewer or sewer system had been constructed by such township under the provisions of this act

(c) Contracts With Individuals or Corporations for Construction and Maintenance of Sewer and Drainage Systems

Section 2420 In any case where under the authority or section two thousand four hundred and one of this act a system of sewage and drainage covering any township in whole or in part shall have been approved and authorized by ordinance the commissioners may enter into a contract with any responsible individual or individuals or corporation for the construction of such system of sewage or drainage at the expense of such individual or individuals or corporation. He they or it shall be entitled under such contract to exercise all the powers of the township in the construction maintenance and operation of such system of sewage or drainage with right to collect such charges in connection therewith as the commissioners prescribe in as full manner as the same might have been collected by the township or the commissioners. In such contract the commissioners shall reserve to the township the right at any time or after a prescribed time to itself take possession of such system of sewage and drainage and its appurtenances at a price and upon terms to be fixed in the contract.

Nothing in this section shall be construed to repeal or modify any of the provisions of the Pennsylvania Public [Service Company] Utility Law

(d) Sewers and Drains in Streets [or Alleys] or Over Private Property Assessment of Costs of Construction According to Benefits

Section 2425 Townships may construct sewers and drains in any street or [alley] highway or through or on or over private property. The costs damages and expenses of the construction of any such sewers or drains may be paid for wholly or partially by general taxation or may be assessed upon the properties accommodated or benefited in either of the following methods

(a) By an assessment pursuant to township ordinance of each lot or piece of land in proportion to its frontage abutting on the sewer allowing such reduction in the case of properties abutting on more than one sewer as the ordinance may specify. No assessment by frontage shall be made on properties of such character as not to be lawfully subject to such manner of assessment and each abutting property shall be assessed with not less than its proportion aforesaid of the entire cost and expense of such construction.

(b) By an assessment upon the several properties abutting on the sewer in proportion to benefits. The amount of the charge on which property shall be ascertained and the rights of taxpayers conferred in connection therewith as provided in this act for the assessment of damages and benefits by viewers.

(e) Sewers Under State and County Highways

Section 2430 Consent Necessary. Townships may construct sewers and drains in and under any county or State highway within the township boundaries. In case of the construction of sewers upon county highways the consent of the county commissioners of the county shall first be obtained and in case of the construction of sewers upon any State highway the consent of the State Department of Highways shall first be obtained.

Section 2431 Assessment of Cost. Whenever sewers have been or shall be laid or constructed by any township in and under such highways such township may ascertain levy and collect the costs and expenses of the construction thereof from the abutting property holders by viewers in accordance with provisions of this act relating to the assessment of damages and benefits by viewers.

(f) Connecting with Sewer of Adjoining Municipality

Section 2435 Connection by Agreement or Petition. Appointment of Viewers. Whenever any township shall be-

sire to connect with the existing sewer of any adjacent municipality the two municipalities so joining may enter into an agreement for such purposes or if no agreement has been reached between such township and the adjacent municipality then such township shall proceed in the following manner.

An application shall be made by the board of commissioners to the court of quarter sessions setting forth the desire of the township to connect with the sewer of the municipality. If the court shall be of the opinion that such connection can be made without impairing the usefulness of the existing sewer it shall appoint three viewers who shall view the premises and investigate the facts of the case and shall in the manner provided by this act for such proceedings assess the proportionate part of the expense of building the original sewer upon the petitioning township and shall fix the proportion of the expense for repairs which the municipality and such township shall thereafter bear and determine all other questions which are likely to arise in connection therewith.

Section 2436 Notice of Contemplated Construction Protests by Property Owners. No sewer system of sewers or drains shall be constructed under the provisions of this subdivision unless a resolution of the board of commissioners authorizing the same shall be published in a newspaper of general circulation published in the county in which the township is situated one a week for three successive weeks. If within twenty days after the last publication or at any time during the period of publication taxpayers of the township whose property valuation within the township shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township shall sign and file in the office of the prothonotary of the court of common pleas of the county in which the township is located a written protest against the construction of such sewer sewer system or drain then the construction authorized by such resolution shall not be undertaken or proceeded with.

(g) Joint Sewers and Drains

Section 2440 Building Joint Sewers. (a) Townships may jointly with [municipalities] cities boroughs or other townships [or both] build and construct sewers including trunk-line sewers or drains and sewage treatment works and may connect into such system existing sewers and may assess their respective portions of the cost thereof or so much thereof as may be legally assessable upon property benefited by the improvement as is provided in the case of townships by sections two thousand four hundred eight two thousand four hundred nine and two thousand four hundred ten of this act. Any portion of the cost of such an improvement not assessed or not assessable shall be paid by the respective townships cities and boroughs joining as may be agreed upon.

(b) The townships cities and boroughs joining or contemplating joining in any such improvement in order to facilitate the building of the same and securing preliminary surveys and estimates may by [resolution or] ordinance provide for the appointment of a joint sewer board composed of one representative from each of the townships cities and boroughs joining which shall act generally as the advisory and administrative agency in the construction of such improvement and its subsequent operation and maintenance. The members of such board shall serve for terms of six years each from the dates of their respective appointments and until their successors are appointed. The [joint sewer] board shall organize by the election of a chairman [vice-chairman] secretary and treasurer. The several townships cities and boroughs may in the [resolutions and] ordinances creating the [joint sewer] board authorize the board to appoint an engineer a solicitor and such other assistants as are deemed necessary and agree to the share of the compensation of such persons each township city and borough is to pay. The members of the [joint sewer] board shall receive such compensation for attending meetings of the board as shall be fixed in the budget prepared by the board for

submission to and adoption by the several townships cities and boroughs as hereinafter provided and the budget item providing for the compensation to members for attending meetings shall not exceed a total of two hundred and fifty dollars (\$250) per year and no member shall be paid unless he actually attends and the fee for each such attendance shall be stipulated and the members in addition thereto shall be entitled to actual expenses to be paid by the respective townships cities and boroughs which such members represent

(c) The [joint sewer] board shall have power to adopt rules and regulations to govern its proceedings and shall prepare and suggest any practical measures and plans by means of which the joint improvement may be carried to successful completion and plan the future development of the system so as to conform to a general plan [assured and safeguarded] It shall have power to prepare a joint agreement or agreements for submission to and adoption by the several townships cities and boroughs defining the advisory and administrative powers of the board setting forth the consents of the several townships cities and boroughs to the proposed improvement the manner in which preliminary and final plans specifications and estimates for the proposed improvement shall be prepared and adopted how proposals for bids shall be advertised and contracts let the manner in which the costs of the improvement and other incidental and preliminary expenses in connection therewith and the future cost of operation and maintenance shall be equitably shared apportioned and paid and all such other matters including the preparation and submission of annual and other budgets as may be deemed necessary or required by law to carry the proposed improvement to completion and to assure future maintenance and operation thereof But nothing herein contained shall authorize the board to make any improvement or expend any public moneys which has not first been authorized by all of the townships cities and boroughs proceeding with the improvement

(d) In any case where it shall be necessary to acquire appropriate injure or destroy private property [( ) lands property or material ( )] to build any such joint sewer improvement and the same cannot be acquired by purchase or gift the right of eminent domain shall vest in the township city or borough where such property is located In any case where it shall be necessary to acquire injure or destroy property in any territory not within the limits of any of the townships cities or boroughs joining in the improvement then the right of eminent domain shall be vested in any township city or borough adjacent to such territory where such property is located Damages for any property taken injured or destroyed shall be assessed as provided by the general laws relating to the townships cities and boroughs exercising the right of eminent domain and shall be paid by the several townships cities and boroughs joining in the same proportion as other costs of the improvement

(e) Each of the townships joining in any such improvement shall have power to incur or increase its indebtedness not exceeding the constitutional limits for the purpose of paying its share or portion of the cost of such improvement in the manner now provided by law for the of indebtedness

Section 2441 State Permit No such sewer or sewage treatment plant shall be constructed until plans and specifications have been submitted to the [State Department of Health and approved in accordance with provisions of the act of April twenty-second one thousand nine hundred and five (page two hundred and sixty) entitled "An act to preserve the purity of the waters of the State for the protection of the Public Health"] Sanitary Water Board and approved in accordance with existing laws

(h) Non-Debt Revenue Sewer Bonds

Section 2445 Sewer Bonds For the purpose of financing the cost or expense or its share of the cost or expense

of constructing or acquiring a sewer sewer system or sewage treatment works either singly or jointly with other municipalities or townships or both any township pledge in whole or in part of the annual rentals or charges may issue non-debt revenue bonds secured solely by a pledge in whole or in part of the annual rentals or charges for the use of such sewer sewer system or sewage treatment works Said bonds shall not pledge the credit nor create any debt nor be a charge against the general revenues nor be a lien against any property of the township but shall be a lien upon and payable solely from the annual rentals or charges for the use of said sewer sewer system or sewage treatment works

Whenever any township has enacted an ordinance or resolution imposing a sewer rental or charge upon properties to be served by such sewer system or sewage treatment works when the same is completed and has pledged sufficient of the revenues to be derived therefrom for the payment of the interest and sinking fund charges on such non-debt revenue bonds it shall have power to authorize the issue and sale of such non-debt revenue bonds from time to time as the work of construction proceeds and sufficient additional non-debt revenue bonds as may be necessary may be issued and sold to provide for the interest and sinking fund charges accruing thereon until said sewer system or sewage treatment works has been completed and has been in operation for not exceeding one year in order to provide sufficient revenues until such time as sewer rentals or charges may be collected from the owners of properties being served

Nothing in this section shall be construed to abridge or restrict or in any way impair the right of any township to create indebtedness in accordance with existing laws

Section 50 Article XXV and Sections 2501 to 2507 inclusive of said act are hereby reenacted revised and amended to read as follows

#### Article XXV

Collection by Instalment of the Cost of Street Curb Sidewalk and Sewer Improvements

Section 2501 Ordinances for Instalment Payments When any township shall authorize the grading subgrading or the permanent paving and improvement of any streets [or alleys] or parts thereof or the construction of curbs sidewalks or sewers and the entire cost or any part thereof shall be assessed against the properties abutting on such improvement whether by the foot front rule or according to benefits the board of commissioners may provide in the ordinance that the assessment or any of them may be paid in semiannual or annual instalments and it may also provide that sewer assessments may be paid in twelve monthly or in quarterly instalments Such instalments shall bear interests at a rate not exceeding six per centum to be fixed by the board of commissioners in the ordinance [from the date of the commencement of the work or the construction of such improvement] commencing at such time as may be fixed by ordinance

Section 2502 Issue of Bonds In order to provide for the payment of the cost and expenses of such improvement the board of commissioners may from time to time issue bonds in sums equal to the amount of assessments The bonds shall bear the name of the street [or alley] to be improved or the curbs sidewalks or sewer to be constructed [and shall be payable at periods not exceeding ten years from the date of their issue to be provided in the ordinance directing the improvement]

Section 2503 Sale of Bonds Interest The bonds shall bear interest at a rate not exceeding six per centum per annum payable semiannually or annually as the ordinance shall direct and shall be negotiated at not less than par and the proceeds thereof applied solely to the payment of such improvement

Section 2504 Entry of Liens Liens to secure the assessments or any part thereof remaining due shall be entered in the prothonotary's office of the county in the same form

and collected in the same manner as municipal claims are filed and collected. Provided however That when any person has accepted the monthly or quarterly payment plan for any sewer assessment as herein provided no lien shall be filed for such assessment except upon a default in payment as provided in section two thousand five hundred six as herein amended.

**Section 2505 Assessments Where Payable** Such assessments shall be payable at the office of the township treasurer or such other place as the ordinance shall provide in semiannual or annual instalments and in the case of sewer assessments in monthly or quarterly instalments with interest at the rate provided from the date from which interest is computed on the amount of the assessments. The moneys so received by the township shall be applied to the payment of such bonds and interest thereon exclusively.

**Section 2506 Default in Payment of Instalment** In case of default in the payment of any semiannual or annual instalment and interest for a period of sixty days after the same shall become due the entire assessment and accrued interest shall become due and the township solicitor shall proceed to collect the same under the general laws relating to the collection of municipal claims.

In case of default in the payment of any monthly or quarterly instalment and interest of a sewer assessment for a period of thirty days after the same shall become due a lien shall be filed for the balance due on such assessment and interest accrued thereon. In no case shall a township lose its right to file a lien for any sewer assessment by reason of its failure to file the same within the time fixed by general law relating to the filing of municipal liens for any sewer assessment which is being paid under the instalment plan herein provided and if any lien is filed after the time fixed by said general law for the filing because of default in the payment of any instalment such delayed filing is hereby validated and the lien of such assessment claim so filed shall be in full force and effect from the time of such filing.

**Section 2507 Payments in Full Subdivisions of Property** Any owner of property against whom any such assessment has been made may pay the same in full at any time with interest thereon to the next semiannual or annual payment and such payment shall discharge the lien. If any owner shall subdivide any property after the lien attaches he may in like manner discharge the same upon any subdivided portion thereof by paying the amount for which such part would be liable.

**Section 51 Article XXVI and Sections 2601 and 2602** of said act are hereby reenacted revised and amended to read as follows:

#### Article XXVI

##### Revolving Fund for Street and Sewer Improvements

**Section 2601 Special Tax Bond Issue** The several townships are hereby empowered to levy and collect annually a tax upon all property taxable for township purposes not to exceed five mills on the dollar in any one year for the purpose of creating and maintaining a revolving fund to be used by such township in making permanent street sidewalk or sewer improvements and to pay contract prices for permanent street sidewalk or sewer improvements prior to the collection of the cost and expense or any part thereof from the property owners adjoining or abutting thereon by such townships under existing laws. Any such revolving fund may also be begun by funds raised by the issuance of bonds of the township in the manner provided by law for the making of permanent street sidewalk and sewer improvements.

**Section 2602 Repayments into Revolving Fund** When the cost and expense or any part thereof of the construction of any permanent street sidewalk or sewer improvement which has been made under existing laws and which has been aided in its construction from the said revolving fund hereby provided for shall have been assessed and collected from the owners of the property adjoining or abutting upon such improvement it shall be

applied to the credit of the said revolving fund to the extent of the withdrawal therefrom for such purpose.

**Section 52 Article XXVII and Sections 2701 and 2705 inclusive and Sections 2710 2711 and 2712 of said act** are hereby reenacted revised and amended to read as follows:

#### Article XXVII

##### Water Supply and Waterworks

##### (a) Acquisition Construction and Maintenance

**Section 2701 Contract with Water Companies and Municipality Development of Own Water Supply** Townships may contract with any adjoining municipality owning a waterworks system or with a private company for a supply of water for public and private uses to be delivered into the lines of the township at or near or within the boundaries thereof.

This section does not prohibit a contract between a township and a municipality or a private company for the supply of water in territory being supplied by any other private company. A township shall have full power by contract to develop an independent supply of water at any time and it is not required to purchase such water supply as the township shall need from either an adjoining municipality or private company.

**Section 2702 State Permit** A township making such contract may by ordinance provide and regulate and protect a system of distribution of the water after a certified copy of the plans and surveys for such system with a description of the sources from which it is proposed to derive the supply are filed [in] with the Department of Health and Water Power Resources Board and [a] written [permit] permits for the construction of such system obtained [from the Secretary of Health] in accordance with existing law.

**Section 2703 Occupation of Highways** In providing for regulating and protecting and extending its system of distribution of water the township may occupy [public] streets roads or highways and may take injure or destroy private property. No highway under the jurisdiction of the State Department of Highways shall be occupied until a permit therefor has been obtained from the State Department of Highways. Property belonging to or used as a cemetery or a place of public worship or any public or parochial school or other educational or charitable institution or seminary shall not be taken injured or destroyed by virtue of this [act] section.

**Section 2704 Property Damages Bond by Township** If the compensation and damages arising from such taking injury or destruction of private property cannot be agreed upon the township may tender its bond as security to the party claiming or entitled to any damages or to the attorney or agent of any absent person or to the agent or other officer of a corporation or to the guardian or committee of any person under legal incapacity. The condition of the bond shall be that the township shall pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon or assessed in the manner provided in the following sections of this article.

In case the party or parties claiming damages refuse or do not accept the security so tendered the township shall give the party his or their agent attorney guardian or committee at least ten days' written notice of the time when the same will be presented to the court of common pleas for approval.

Thereafter the township may present its bond to the court and when approved the bond shall be filed in court for the benefit of those interested. Recovery may be had thereon for the amount of damages finally determined if the same is not paid or cannot be collected by execution on the judgment in the issue formed to try the question. Upon the approval of such security the township may enter into possession.

**Section 2705 Appointment of Viewers** In case the compensation for damages accruing from such taking

injury or destruction has not been agreed upon by parties in interest the court of common pleas or any law judge thereof in vacation on application thereto by the township or any person interested in the property shall appoint three members of the board of viewers of the county who shall assess the damages as provided in this act for eminent domain proceedings

(b) Construction Acquisition and Maintenance of Waterworks in Connection with [Boroughs] Municipalities

Section 2710 Joint Maintenance of Works with [a Borough] Municipality Any township may unite with a city borough or township in the construction or acquisition and maintenance of works for the supply of water

Section 2711 State Permits The construction of such waterworks [as provided for in the preceding section shall be after plans for such waterworks have been filed with the Secretary of Health and a permit issued and after a permit has been issued by the Water and Power Resources Board for the construction of any dam in accordance with existing law] shall be commenced only after plans for such waterworks have been filed with Department of Health and Water and Power Resources Board and permits issued in accordance with law

Section 2712 Commission of Waterworks Whenever any township unites with a [borough] municipality in the construction or acquisition and maintenance of waterworks the commissioners of such township after the passage of an ordinance or resolution to that effect may join with the councils of such [boroughs now authorized by section two thousand four hundred and sixty-two of the General Borough Act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) so to join] other municipality and apply to the court of common pleas for the appointment of a commission of waterworks Such commission shall be composed of citizens of each of the [boroughs] municipalities and townships so uniting

Section 53 Article XXVIII and Sections 2801 to 2806 inclusive of said act are hereby reenacted revised and amended to read as follows

#### Article XXVIII

##### Public Buildings

Section 2801 Town Hall The commissioners of townships may procure a suitable lot of ground and [or] erect a suitable building thereon for a townhouse in which to hold elections store road machinery hold meetings of township officers and for other township uses For the purpose of procuring a lot of ground and erecting a town hall the commissioners may borrow money at a rate of interest not exceeding six per centum and issue bonds therefor

Section 2802 Unloading and Warehouses The commissioners may purchase or lease land adjacent to the tracks or right of way of any railroad or street railway within or without the limits of such township and erect thereon suitable unloaders warehouses or other buildings as may be necessary for unloading handling and storing road materials and supplies

Section 2803 Appropriation of Property Townships may enter upon and appropriate private property and also land heretofore granted or dedicated to public or other use within the limits of such township and which is no longer used for the purpose for which the same was granted or dedicated for the erection thereon of a town hall fire house lockup and such other public buildings as are necessary for public purposes

No land or property used for any cemetery burying ground public or parochial school educational or charitable institution seminary or place of public worship shall be taken or appropriated by virtue of any power contained in the preceding [section] paragraph

Section 2804 Ordinance of Commissioners Whenever the commissioners desire to acquire enter upon take use and appropriate private property or lands for public

buildings they shall declare such intention by an ordinance duly enacted

Section 2805 Assessment of Damages The compensation and damages arising from such taking using and appropriating of private property for such purposes shall be considered ascertained determined awarded and paid in the manner provided in this act for eminent domain proceedings

Section 2806 Use of Public Lands Acquired for Other Purposes Whenever the commissioners desire to take any lands heretofore granted or dedicated to a use or purpose for which they are no longer used they shall pass an ordinance declaring such intention and shall thereupon petition the court of common pleas for leave to file the bond of such township for the purpose of securing any person or persons who may be injured by the taking of such lands The court shall thereupon direct notice to be given by publication in at least two newspapers of the county If no exceptions are filed to the bond on or before the day fixed in the notice the court shall approve the same The court may increase the amount of the bond and hear and determine all exceptions that are filed against the approval thereof Upon the approval of such bond the commissioners may enter upon and take such lands for the purposes of erecting public buildings The bond which shall be in the name of the Commonwealth for the use of any person or persons who are entitled to damages by reason of the taking of the lands shall remain on file for their use and benefit In case the compensation for damages accruing from any such appropriation has not been agreed upon by the parties in interest the same may be assessed by viewers in accordance with the provisions of this act for the assessment of damages in eminent domain proceedings

Section 54 Article XXIX and Sections 2901 2910 2911 and 2912 of said act are hereby reenacted revised and amended to read as follows

#### Article XXIX

##### Licenses and License Fees

##### (a) Transient Retail Merchants

Section 2901 Every township shall have power by ordinance to regulate and license each and every transient retail business within such township for the sale of goods wares [and] or merchandise and to prohibit the commencement or doing of any such business until or unless the license required by such ordinance has been procured from the proper authorities by the person firm or corporation desiring to commence such transient retail business and to enforce such ordinances by penalties not exceeding three hundred dollars [and] or by other appropriate means The amount of any such license shall not exceed two hundred dollars for each month or fractional part thereof during which any such sale is continued

Nothing contained in this section shall be construed to apply to (1) farmers selling their own produce or (2) to the sale of goods wares and merchandise donated by the owners thereof the proceeds whereof are to be applied to any charitable or philanthropic purpose or (3) to any manufacturer or producer in the sale of bread and bakery products meat and meat products or milk and milk products

##### (b) Restrictions

Section 2910 Agents for Licensed Dealers Not to Be Licensed It shall be unlawful for any township to levy any license fee or merchandise tax upon any persons taking orders for merchandise by sample from dealers or merchants for individuals or companies who pay a license or merchantile tax at their chief places of business Nothing in this section shall authorize any person to sell by retail to other than dealers or merchants

Section 2911 Insurance Agents and Brokers Not to Be Licensed It shall be unlawful for any township to impose or collect any license fee upon insurance com-

panies or their agents or insurance brokers authorized to transact business under the Insurance Laws of this Commonwealth

Section 2912 License Fees on Residents Not to Exceed Those on Nonresidents It shall be unlawful for any township to impose by ordinance or exact or collect under the provisions of any ordinance heretofore or hereafter enacted any license tax or fee upon or from any manufacturer or the agent representative or employ of any manufacturer who is a resident of the Commonwealth for soliciting orders for or for selling any goods merchandise or wares manufactured within this Commonwealth that is not or cannot legally be imposed upon or exacted or collected from any manufacturer or dealer or the agent representative or employe of any manufacturer who is a nonresident of the Commonwealth for soliciting orders for or selling any goods merchandise or wares manufactured without the Commonwealth

Section 55 Article XXX and Sections 3001 and 3013 inclusive of said act are hereby reenacted revised and amended to read as follows

### Article XXX

#### Parks Recreation Centers Shade Trees and Forests

##### (a) Public Parks Playgrounds and Recreation Centers

Section 3001 Right of Acquisition Townships may by ordinance dedicate and set apart lands not dedicated to other public uses or purposes and may enter upon appropriate and acquire by gift devise purchase lease or otherwise private property for the purpose of making enlarging and maintaining public parks parkways playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers hereinafter called recreation places and may borrow money and issue bonds for such purpose The provisions of this section shall not authorize the appropriation of private property outside the township limits nor the appropriation of any property belonging to or used as a cemetery or place of public worship or any public or parochial school or other educational or charitable institution or seminary

Section 3002 Limitation of Expenditures No appropriation purchase or lease shall be made pursuant to the preceding section of this article whereby any township shall obligate itself to raise by taxation in the aggregate any sum exceeding one-half mill annually on the dollar on the assessed valuation of all property offices professions and persons in the township without the consent of a majority of the electors obtained as hereinafter provided Such limitation of obligation shall only apply to funds which it is necessary to raise by taxation and not to funds unappropriated which may at the time of the lease or purchase be in the township treasury either derived from taxes in previous years or from gifts or donations

Section 3003 Submission of Question to Voters Whenever any township shall by ordinance provide for the appropriation purchase or leasing of private property for the purposes aforesaid and the amount required by taxation in any year shall exceed one-half mill on the dollar of valuation as provided in the preceding section the township commissioners shall cause the question of such appropriation purchase or leasing to be submitted to the electors of the township at the municipal or general election next occurring after the expiration of ninety days from the date of such ordinance

Section 3004 Notice of Election The township commissioners shall give notice of the proposed submission of such question by weekly advertisements in not more than three newspapers of general circulation in the township for a period of three weeks immediately preceding the day of election

Section 3005 Form of Ballot For the purpose of having such question appear upon the ballot the township commissioners shall certify the question to the county [commissioners] board of elections at least [twenty-

one] sixty days before the day of the election The question may be stated substantially as follows

Shall the township of ..... acquire by purchase or condemnation or both at a price not exceeding ..... dollars (or by lease for not more than ..... years at an annual rental of not more than ..... dollars) property for the purpose of making (or of enlarging) public parks parkways playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers within the locality bounded by .....

The board of commissioners may at their discretion omit the designation of the locality

Section 3006 Result of Election Resubmission of Question Limited The result of the vote on such question shall be ascertained and certified in the same manner as the vote on the election of officers of the township No such question determined negatively by the voters shall be again submitted until one municipal or general election shall intervene

Section 3007 Liability of Township for Property Taken The appropriation of private property for the purpose of making enlarging and maintaining [public parks parkways and playgrounds] recreation places is declared to be the taking of private property for public use and for all damage suffered by the owners of any property so taken the funds of the township raised by taxation shall be pledged as security

Section 3008 Appointment of Viewers Whenever any township appropriates private property under the provisions of this article and is unable to agree with the owners or lessees for the amount of compensation or whenever by reason of the absence or legal incapacity of any owner or lessee no such compensation can be agreed upon the courts of common pleas or any law judge thereof in vacation on application thereto by the township or any person interested shall appoint three viewers from the county board of viewers who shall proceed to assess the damages as provided in this act for eminent domain proceedings

Section 3009 Power to Maintain Park and Recreation Boards Townships may improve maintain and regulate [public parks parkways playgrounds playfields gymnasiums public baths swimming pools and indoor recreation centers] recreation places

The authority to supervise [and] maintain [parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers] and regulate recreation places may be vested in any existing body or board or in a park board or recreation board as the township commissioners may determine The [local authorities of any such township] township commissioners may equip operate and maintain the [parks playgrounds playfields gymnasiums swimming pools public baths or indoor recreation centers] recreation places as authorized by this act [Such local authorities] and may for the purpose of carrying out the provisions of this act employ play leaders recreation directors supervisors superintendents or any other officers or employees as they deem proper

Section 3010 Park or Recreation Boards Appointment and Personnel of If the township commissioners shall determine that the power to equip operate [and] maintain [parks playgrounds playfields gymnasiums public baths swimming pools or recreation centers] and regulate recreation places shall be exercised by a park board or recreation board they may establish in said township such park board or recreation board which shall possess all the powers and be subject to all the responsibilities of the [respective local authorities] township commissioners under this act Such boards when established shall consist of five persons The members of such boards shall be appointed by the commissioners of such township [and] except that provision may be made that two of the members of the board may be appointed by the board of school directors of the township The members of the board shall serve for terms of five years or until

their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter. Members of such board shall serve without pay. Women shall be eligible for appointment. Vacancies in such board occurring otherwise than by expiration of term shall be filled for the unexpired term [and shall be filled] in the same manner as original appointments.

**Section 3011 Organization of Boards** The members of a park board or recreation board established pursuant to this [act] article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may employ such persons as may be needed as authorized by this [act] article. Such boards shall have power to adopt rules and regulations for the conduct of all business within their jurisdiction.

**Section 3012 Expenses of Operation and Maintenance** All expenses incurred in the operation of such [parks playgrounds playfields gymnasiums swimming pools public baths and indoor recreation centers] recreation places established as herein provided shall be payable from the treasury of such township. The township commissioners may cause to be raised by special taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such township for the purpose of maintaining and operating [parks playgrounds playfields gymnasiums public baths swimming pools and recreation centers] recreation places.

**Section 3013 Joint Acquisition and Maintenance of Public Parks Playgrounds Recreation Centers Et Cetera** Townships may jointly with cities counties boroughs other townships of either class or any combination or number of such units acquire property for operate and maintain any [parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers] recreation places. Any school district may join with the township in equipping operating and maintaining recreation places and may appropriate money therefor.

**Section 56** Said act is hereby amended by adding to Article XXX Section 3014 to read as follows:

**Section 3014 Issue of Bonds** The township may incur indebtedness and may issue general obligation bonds for the purpose of acquiring lands or buildings for recreation places and the equipment thereof.

**Section 57** Article XXX and Section 3020 Sections 3021 to 3031 inclusive and Sections 3040 to 3048 inclusive of said act are hereby reenacted revised and amended to read as follows:

(b) **Shade Tree Commission**

**Section 3020 Right of Establishment** Townships may by ordinance establish a commission to be known as the Shade Tree Commission [of such township].

**Section 3021 Personnel of Commission** Appointment Terms Vacancies The commission shall be composed of three [freeholders] residents of the township who shall be appointed by the township commissioners and shall serve without compensation.

Whenever a shade tree commission is established by any township the township commissioners shall appoint [three freeholders] one member for a term of three years one for a term of four years and one for a term of five years.

On the expiration of the term of any shade tree commissioner a successor shall be appointed by the township commissioners to serve for a term of five years.

Vacancies in the office of shade tree commissioner shall be filled by the township commissioners for the unexpired terms.

**Section 3022 [Acceptance of Provisions of Act]** Powers may be Vested in Park Commission Whenever in any township there exists a commission for the care of public parks the township commissioners may by [a majority vote] accept the provisions of this act so far as they relate to the subject of the shade tree commission and there-

after] by ordinance confer on the park commission [shall have] all the powers and [be subject to] all the duties prescribed by this article for the shade tree commission.

**Section 3023 General Powers of Commission** The commission shall have exclusive custody and control of the shade trees in the township and is authorized to plant remove maintain and protect shade trees on the public highways in the township.

**Section 3024 Hiring of Employees** Legislative Power of Commission The commission may with the approval of the township commissioners employ and pay such superintendents engineers foresters tree wardens or other assistants as the proper performance of the duties devolving upon it shall require and may make publish and enforce regulations for the care and protection of the shade trees of the township. No such regulation shall be in force until it has been approved by the township commissioners and until it has been published at least twice in [one or] not more than two newspapers of general circulation in the township and if no newspapers are published in the township then in such newspapers circulating in the township.

**Section 3025 Report of Commission** The shade tree commission shall annually report in full to the township commissioners its transactions and expenses for the last fiscal year of the township. The park commission [in townships accepting this article] may incorporate such transactions and expenses in its regular report to the township commissioners.

**Section 3026 Notice of Commission's Activities** Planting or Removal of Shade Trees Whenever any shade tree commission or park commission [in townships accepting these provisions] proposes to plant transplant or remove shade trees on any street or highway notice of the time and place of meeting at which such work is to be considered shall be given in [one or more] not more than two newspapers of general circulation in the township and if no newspapers are published in the township then in such newspapers circulating in the township once a week for two weeks immediately preceding the time of the meeting. The notice shall specify in detail the streets or highways or portions thereof upon which trees are proposed to be so planted replanted or removed.

**Section 3027 Landholders' Liability for Costs** The cost of planting transplanting or removing any shade trees in the streets or highways of the township of the necessary and suitable guards curbing or grading for the protection thereof and of the replacing of any pavement or sidewalk necessarily disturbed in the execution of such work shall be paid by the owner of the real estate in front of whose property the work is done.

The amount each [freeholder] owner is to pay shall be ascertained and certified by the commission to the township commissioners and to the township treasurer.

**Section 3028 [Notice to and Collection of Costs from Property Holders] Assessments Liens** Upon the filing of the certificate with the township commissioners the township secretary shall cause thirty days' written notice to be given to the persons against whose property an assessment has been made. The notice shall state the amount of the assessment and the time and place of payment and shall be accompanied by a copy of the certificate.

The amount assessed against the real estate shall be a lien from the time of the filing of the certificate with the township commissioners and if not paid within the time designated in the notice a claim may be filed and collected by the township in the same manner as municipal claims are filed and collected.

**Section 3029 [Procedure Costs Paid] Maintenance by Township Funds** For The cost and expenses of caring for such trees after having been planted and the expense of publishing the notice [provided in the preceding section] hereuntofore provided shall be paid by the township.

The needed amount shall each year be certified by the shade tree commissioners to the township commissioners.

and shall be drawn against as required by the commission in the same manner as money appropriated for township purposes

The township commissioners instead of levying the tax authorized under the general tax levying powers of this act may provide for the expense of caring for trees already planted and of publishing the notice [required by the preceding section] by appropriations equal to the amount certified to be required by the shade tree commission

**Section 3030 Penalties** The commission to the extent as may be provided by ordinance of the township may assess penalties for the violation of its regulations and of this article so far as it relates to shade trees Any penalty so assessed shall be a lien upon the real estate of the offender and may be collected as municipal claims are collected

**Section 3031 Disposition of Penalties** All penalties or assessments imposed under this article shall be paid to the township treasurer to be placed to the credit of the shade tree commission subject to be drawn upon by the commission for the purposes of the preceding sections

(c) Forests

**Section 3040 Right of Acquisition of Forest Lands** Townships may acquire by purchase gift or lease and hold tracts of land covered with forest or tree growth or suitable for the growth of trees and administer the same under the direction of the [Secretary] Department of Forests and Waters in accordance with the practices and principles of scientific forestry for the benefit of the township Such tracts may be of any size suitable for the purpose and may be located within or without the township limits

**Section 3041 Approval of [Secretary] Department of Forests and Waters** Before the passage of any ordinance for the acquisition of land to be used as township forests the township commissioners shall submit to the [Secretary] Department of Forests and Waters and secure [his] its approval of the area and location of such land

**Section 3042 Ordinance and Notice** Whenever the township commissioners deem it expedient to acquire any lands for forests they shall so declare in an ordinance wherein shall be set forth all facts and conditions relating to the proposed action [which proposed ordinance shall be advertised once a week for three weeks prior to its passage]

**Section 3043 Appropriation for Acquisition** All money necessary for the purchase of such tracts shall be appropriated in the same manner as appropriations for townships for township purposes and such funds may be provided from the current revenue or by the proceeds of a sale of general obligation bonds in accordance with existing law

**Section 3044 [Control] of Forests by Secretary of Forests and Waters** Rules and Regulations Upon the acquisition of any forests or lands suitable for forests the township commissioners shall notify the [Secretary] Department of Forests and Waters [who] which shall make such rules for the government and proper administration of the same as may be deemed necessary and [the secretary] the commissioners shall publish such rules declare the uses of the forest in accordance with the intent of this [article] subdivision and make such provision for its administration maintenance protection and development as shall be necessary or expedient The rules governing the administration of such forests shall have for their main purpose the producing of a continuing township revenue by the sale of forest products

**Section 3045 Appropriation for Maintenance** All moneys necessary to be expended for the administration maintenance protection and development of such forests shall be appropriated and applied as is now done for township purposes All revenue and emoluments arising from such forests shall be paid into the township treasury to be used for general township purposes

**Section 3046 Use of Township Forests [as Outing**

Grounds] Township forests may be used by the public as general outing or recreation grounds subject to the rules of the Department of Forests and Waters governing their administration as municipal forests and rules adopted by the township commissioners not inconsistent with law or the regulations of the department

**Section 3047 [Disposition of Township Forests Procedure Ordinance Submission of Question] Ordinance of Sale** Whenever the township commissioners deem it expedient to [alienate] sell or lease any forest or part thereof or products therefrom they shall so declare in an ordinance wherein shall be set forth all the facts and conditions relating to the proposed action [which proposed ordinance shall be advertised once a week for three weeks prior to its passage] No ordinance for the sale or lease of a municipal forest or part thereof shall be effective in legalizing such [alienation] sale or lease until it has been approved by a majority vote of the people at the next ensuing general municipal or primary election

**Section 3048 Appropriation of Moneys to Forestry Organizations** The commissioners of any township may appropriate moneys from their respective treasuries to any forest protection association cooperating in forest work with the State Department of Forests and Waters or to be expended in direct cooperation with said Department of Forests and Waters in forest work

**Section 58 Article XXX-A and Sections 3061 to 3068** of said act are hereby reenacted revised and amended to read as follows

Article XXX-A

Land Subdivisions

**Section 3061 Grant of Power** For the purpose of assuring sites suitable for building purposes and human habitation and to provide for the harmonious development of townships for the coordination of existing streets with proposed streets parks or other features of the township's official plan of streets [and alleys] for adequate open spaces for traffic recreation light and air and for proper distribution of population thereby creating conditions favorable to the health safety morals and general welfare of the citizens the boards of township commissioners are hereby empowered to adopt by ordinance [or resolution] land subdivision regulations Such regulations may include definitions design standards plan requirements plan processing procedures improvement construction requirements and conditions of acceptance of public improvements by the township

**Section 3062 Public Hearing** No such regulations shall first be adopted until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard [At least fifteen days' notice] Notice of the time and place of such hearing shall be published in an official paper if one has been designated by the Board of Township Commissioners or if none has been so designated then in a paper of general circulation in the township once a week for two successive weeks

**Section 3063 Subdivision Control** Where subdivision regulations have been adopted under the authority of this article no subdivision of any lot tract or parcel of land shall be [effected] affected no street [alley] sanitary sewer storm sewer water main or other facilities in connection therewith shall be laid out constructed opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon except in strict accordance with the provisions of such regulations

**Section 3064 Definition of Subdivision** Subdivision may be defined as the division of a single lot tract or parcel of land or a part thereof into two or more lots tracts or parcels of land including changes in street lines or lot lines for the purpose whether immediate or future of transfer of ownership or of building development Provided however That divisions of land for agriculture purposes in parcels of more than ten acres not involving any new street or easement of access shall be exempted

Section 3065 Subdivisions Wherein Lots Abut Existing Improved Streets of Sufficient Width Such regulations may provide that plans of subdivisions wherein lots abut existing improved streets of sufficient width shall be subject to approval or rejection by the township engineer or a committee appointed by the board of township commissioners as specified in the ordinance or resolution establishing the regulations In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant Any person aggrieved by the decision of the township engineer or the committee may appeal to the board of township commissioners and such appeal shall be considered by the board at its next regular meeting The decision of the board shall be final

Section 3066 Subdivisions Wherein Lots Abut Existing Streets of Insufficient Width or Proposed Streets

(a) Plans may be Referred to Planning Commission for Recommendations Such regulations may provide that plans of subdivisions wherein lots abut existing streets of insufficient width or streets proposed to be laid out through unimproved land may if the board of township commissioners deems it advisable be referred to the planning commission of the township if any for its recommendations as to location and width of streets and similar features Such plans shall be subject to approval or rejection by the board of township commissioners In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant And party aggrieved by the decision of the board of township commissioners may appeal to the court of quarter sessions of the county as hereinafter provided

(b) General Requirements Prerequisite to Approval of Plan The board of township commissioners shall not approve any subdivision plan unless all streets shown thereon shall be of sufficient width and proper grade and shall be so located as to accommodate the probable volume of traffic thereon afford adequate light and air facilitate fire protection provide access of fire fighting equipment to buildings and provide a coordinated system of streets conforming to the township's official plan of streets [and alleys] and unless the land whereon buildings are to be constructed shall be of such character that it can be used for building purposes without danger to health or peril from fire flood or other hazard

(c) Improvements or Guarantee Thereof Prerequisite to Approval of Plan Before approving any subdivision plan for recording the board of township commissioners shall either require that the necessary grading paving and other street improvements including where specified by the board curbs sidewalks street lights fire hydrants water mains sanitary sewers and storm sewers shall have been installed in strict accordance with the standards and specifications of the township or that the township be assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities in escrow sufficient to cover the cost of the required improvements as estimated by the township engineer that the said improvements will subsequently be installed by the owner

(d) Public Hearing Before acting on any subdivision plan the board of township commissioners may arrange for a public hearing thereon after giving such notice as the board may deem desirable in each case

(e) Modifications The board of township commissioners may alter any subdivision plan and specify changes or modifications therein which it deems necessary and may make its approval subject to such alterations changes or modifications

(f) Appeals Where Commissioners Refuse Approval In any case where the board of township commissioners disapproves a subdivision plan any person aggrieved thereby may within thirty days thereafter appeal therefrom by petition to the court of quarter sessions of the county which court shall hear the matter de novo and after hearing enter a decree affirming reversing or modifying the action of the board as may appear just in the

premises The court shall designate the [matter] manner in which notices of the hearing of any such appeal shall be given to all parties interested The decision of the court shall be final

(g) Recording The action of the board of township commissioners or of the court on appeal in approving any subdivision plan and an approved duplicate copy of such plan shall within thirty days of the date of approval be recorded by the owner in the office of the recorder of deeds of the county

(h) Recorded [Streets] Plan Become Part of Official Plan After a subdivision plan has been duly recorded the streets parks and other public improvements shown thereon shall be considered to be a part of the official plan of the township

(i) Offer of Dedication May be Noted on Record Plan Streets parks and other public improvements shown on a subdivision plan to be recorded may be offered for dedication to the township by formal notation thereof on the plan or the owner may note on the plan that such improvements have not been offered for dedication to the township

(j) Streets Parks and Other Improvements Private Until Dedicated or Condemned Every street park or other improvement shown on a subdivision plan that is recorded as provided herein shall be deemed to be a private street park or improvement until such time as the same has been offered for dedication to the township and accepted by ordinance or resolution or until it has been condemned for use as a public street park or other improvement

Section 3067 Sale of Lots Issuance of Building Permit or Erection of Building Where subdivision regulations have been adopted under the authority of this article no lot in a subdivision may be sold no permit to erect alter or repair any building upon land in a subdivision may be issued and no building may be erected in a subdivision unless and until a subdivision plan has been approved and where required recorded and until the improvements required by the board of township commissioners in connection therewith have either been constructed or guaranteed as hereinabove provided Where owing to special conditions a literal enforcement of this provision would result in unnecessary hardship the board of township commissioners may make such reasonable exception thereto as will not be contrary to the public interest and may permit the sale of a lot issuance of a permit or erection of a building subject to conditions necessary to assure adequate streets and other public improvements

Section 3068 Penalty Any person copartnership or corporation who or which shall subdivide any lot tract or parcel of land lay out construct open or dedicate any street [or alley] sanitary sewer storm sewer or water main for public use or travel or for the common use of occupants of buildings abutting thereon sell any lot or erect any building in a subdivision without having first complied with the provisions hereof and the subdivision regulations adopted hereunder shall be guilty of a misdemeanor and upon conviction thereof such person or the members of such copartnership or the officers of such corporation responsible for such violation shall be sentenced to suffer imprisonment not exceeding two years or pay a fine not exceeding one thousand dollars or both in the discretion of the court

Section 59 Article XXXI and Sections 3101 to 3110 inclusive of said act are hereby reenacted revised and amended to read as follows

#### Article XXXI

##### Zoning

Section 3101 Grant of Power For the purpose of promoting health safety morals or the general welfare of townships the boards of township commissioners are hereby empowered to regulate and restrict the height number of stories and size of buildings and other structures their construction alteration extension repair main-

tenance and all facilities and services in or about such buildings and structures and percentage of lot that may be occupied the size of yards courts and other open spaces the density of population and the location and use of buildings structures and land for trade industry residence or other purpose and may also establish and maintain building lines and set back building lines upon any or all public streets [roads] and highways [lanes and alleys]

Section 3102 Districts (a) For any or all said purposes the board of township commissioners may divide the township into districts of such number shape and area as may be deemed best suited to carry out the purpose of this [act and within] article Within such districts it may regulate and restrict the erection construction reconstruction alteration repair or use of buildings structures or land All such regulations shall be uniform for each class or kind of buildings throughout each district but the regulations in one district may differ from those in another district

Section 3103 Purpose in View Such regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets to secure safety from fire panic and other dangers to promote health and the general welfare to provide adequate light and air and to prevent the overcrowding of land to avoid undue concentration of population to facilitate the adequate provision of transportation water sewerage schools parks and other public requirements Such regulations shall be made with reasonable consideration among other things to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such township

Section 3104 Methods of Procedure The board of township commissioners of such township shall provide by ordinance the manner in which such regulations and restrictions and the boundaries of such districts shall be determined established and enforced and from time to time amended supplemented or changed However no such regulation restriction or boundary shall become effective until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard [At least fifteen days' notice] Notice of the time and place of such hearing shall be published in an official paper or a paper of general circulation in such township [of the first class] once a week for two weeks

Section 3105 Changes Such regulations restrictions and boundaries may from time to time be amended supplemented changed modified or repealed In case however of a protest against such change signed by the owners of twenty per centum or more either of the area of the lots included in such proposed change or of those immediately adjacent in the rear or in the front or to either side thereof extending one hundred feet therefrom [or of those directly opposite thereto extending one hundred feet from the street frontage of such opposite lots] Such amendments shall not become effective except by the favorable vote of three-fourths of all the members of the board of township commissioners [of such township] The provisions of the previous section relative to public hearings and official notice shall apply equally to all changes or amendments

Section 3106 Zoning Commission In order to avail itself of the powers conferred by this article the board of township commissioners shall appoint a commission of five citizens to be known as the Zoning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein Such commission shall make a preliminary report and hold public hearings thereon before submitting its final report and such board of township commissioners shall not hold its public hearings or take action until it has received the final report of such commission Where a

township planning commission exists it may be appointed as the Zoning Commission

Section 3107 Board of Adjustment Such board of township commissioners may appoint a board of adjustment and in the regulations and restrictions adopted pursuant to the authority of this article may provide that said board of adjustment may in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of the ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained

The board of adjustments shall consist of three members one of whom shall be designated to serve until the first day of January following the adoption of the zoning ordinance one until the first day of the second January thereafter and one until the first day of the third January thereafter Their successors shall be appointed on the expiration of their respective terms to serve three years The members of the board shall be removable for cause by the appointing authority upon written charges and after public hearing Vacancies shall be filled for the unexpired term of any member whose term becomes vacant

The board of adjustment shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this [act] article Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine Such chairman or in his absence the acting chairman may administer oaths and compel the attendance of witnesses All meetings of the board shall be open to the public The board shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep records of its examinations and other official actions all of which shall be immediately filed in the office of the board and shall be a public record

Appeals to the board of adjustment may be taken by any person aggrieved or by any officer [department board or bureau] of the township affected by any decision of the administrative officer Such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken

An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life and property In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of [record] common pleas of the county on application on notice to the officer from whom the appeal is taken and due cause shown

The board of adjustment shall fix a reasonable time for the hearing of the appeal give public notice thereof as well as due notice to the parties in interest and decide the same within a reasonable time Upon the hearing any party may appear in person or by agent or by attorney

The board of adjustment shall have the following powers

- (1) To hear and decide appeals where it is alleged there is error in any order requirement decision or determination made by an administrative official in the enforcement of this [act] article or of any ordinance adopted pursuant thereto

- (2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance

- (3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest where owing to special conditions a literal enforcement of the provisions of

the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done.

In exercising the above mentioned powers such board may in conformity with the provisions of this article reverse or affirm wholly or partly or may modify the order requirement decision or determination appealed from and may make such order requirement decision or determination as sought to be made and to that end shall have all the powers of the officer from whom the appeal is taken Notice of such decision shall forthwith be given to all parties in interest

Any person [or persons jointly or severally] aggrieved by any decision of the board of adjustment or any taxpayer or any officer [department board or bureau] of the township may [present] within thirty days after such decision of the board appeal to the court of common pleas of the county [al] by petition duly verified setting forth that such decision is [illegal in whole or in part specifying the grounds of the illegality Such petition shall be presented to the court within thirty days after the filing of the decision in the office of the board] arbitrary capricious an abuse of discretion or otherwise not in accordance with law specifying the grounds upon which he relies

Upon the presentation of such petition [the court may allow an appeal directed to the board of adjustment to review such decisions of the board of adjustment and shall prescribe therein the time within which a return thereto must be made and served upon the realtor's attorney which shall not be less than ten days and may be extended by the court The allowance of the writ shall not stay proceedings upon the decision appeal from but the court may on application on notice to the board and on due cause shown grant a restraining order

The board of adjustment shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified

If upon the hearing it shall appear to the court that testimony is necessary for the proper disposition of the matter it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law which shall constitute a part of the proceedings upon which the determination of the court shall be made The court may reverse or affirm wholly or partly or may modify the decision brought up for review] in proper form the court shall forthwith issue a writ of certiorari directed to the board of adjustment commanding it within twenty days after the service thereof to certify to the court under the certificate of its chairman its entire record in the matter in which the appeal has been taken The prothonotary shall serve the board of adjustment by registered mail with a copy of the writ and a copy of the appeal petition On or before the return day of the writ the board or adjustment shall file the entire record with the writ in the office of the prothonotary

Any time during the pendency of the appeal upon application of the appellant and upon due notice to the board of adjustment the court or a judge thereof may after hearing grant an order of supersedeas upon such terms and conditions including the filing of security as the court or the judge may prescribe

If upon hearing of the appeal it shall appear to the court that testimony is necessary for the proper disposition of the appeal it may take evidence or appoint a referee to take evidence as it may direct and report the same to the court with his findings of facts and conclusions of law The court may reverse or affirm in whole or in part the decision appealed from as to it may appear just and proper

Section 3108 Remedies In case any building or structure is erected constructed reconstructed altered repaired con-

verted or maintained or any building structure or land is used in violation of this article or of any ordinance or other regulation made under authority conferred hereby the proper [local authorities] officer of the township in addition to other remedies may institute in the name of the township any appropriate action or proceedings to prevent such unlawful erection construction reconstruction alteration repair conversion maintenance or use to restrain correct or abate such violation to prevent the occupancy of said building structure or land or to prevent any illegal act conduct business or use in or about such premises

Section 3109 Conflict with Other Laws Whenever the regulations made under authority of this [act] article require a greater width or size of yards courts or other open spaces or require a lower height of buildings or less number of stories or require a greater percentage of lot to be left unoccupied or impose other higher standards than are required in any other statute or local ordinance or regulation the provisions of the regulations made under authority of this article shall govern Wherever the provisions of any other statute or local ordinance or regulation require a greater width or size of yards courts or other open spaces or require a lower height of building or a less number of stories or require a greater percentage of lot to be left unoccupied or impose other higher standards than are required by the regulations made under authority of this article the provisions of such statute or local ordinance or regulation shall govern

Section 3110 Act Not to Apply to Certain Buildings of Public Service Corporations This article shall not apply to any existing or proposed building or extension thereof used or to be used by public service corporations if upon petition of the corporation the Public [Service] Utility Commission shall after a public hearing decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public

Section 60 Said act is hereby amended by adding to article XXXI section 3111 to read as follows

Section 3111 Finances The township commissioners are empowered to appropriate such moneys as they may deem necessary to finance the work of the Zoning Commission and the board of adjustment and to enforce the zoning regulations and restrictions which are adopted and to accept grants of money and service for these purposes from either private or public sources State or Federal

Section 61 Article XXXII and sections 3201 3202 and 3203 of said act are hereby reenacted revised and amended to read as follows

## Article XXXII

### Township Planning Commission

Section 3201 Power to Create Planning Commission Residence of Commissioners Employes Rules and Regulations The township commissioners may create by ordinance and appoint a planning commission consisting of five persons In the first instance one member of said commission shall be appointed for one year one for two years one for three years one for four years and one for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a vacancy shall be for the unexpired portion of the term All members of the commission shall reside within the township They shall serve without compensation and make annually to the township commissioners a report of their transactions The planning commission may with the consent of the township commissioners retain the services of an engineer or engineers as well as other necessary employes and may contract for professional planning services the costs and expenses of which when approved by the township commissioners shall be provided for through proper appropriations The township commissioner shall appropriate such sum as they deem necessary for defraying the expenses of the planning commission and in no event shall the expenses of

the planning commission including the salaries of the engineer or other employes exceed the amount of the appropriation

Section 3202 Maps and Plans Recommendations of Planning Commission In addition to filing an annual report it shall be the duty of the planning commission to make or cause to be made and to lay before the township commissioners maps and plans of the township or any portion thereof showing the street [highways] and other natural and artificial features and also any locations recommended by it for any new public buildings civic schemes parkways playgrounds or any other public grounds or public improvements and any widening extension or relocation of the same and thereafter from time to time the planning commission may before the township commissioners any modification change or supplement to any prior plan or plans The planning commission may also from time to time make recommendations to the township commissioners with respect to any and all matters and things referred to in this section and in so doing shall have regard for the present conditions and future needs and growth of the township

Any maps or plans so submitted shall not be effective unless regularly approved and adopted by ordinance or resolution of the township commissioners and after such approval and adoption shall be subject to revision and change from time to time as the township commissioners may deem expedient

Section 3203 Reference of Proposals to Planning Commission The township commissioners may at their discretion from time to time submit to the planning commission any question or proposal relating to any of the matters or things referred to in the preceding section [hereof] or any other matter or thing relating to the growth or development of the township including any plans for the development of any particular sections of the township and it shall be the duty of the planning commission in due course to make a report with respect to any such question or proposal with its recommendation thereon

Section 62 Article XXXIII and sections 3301 to 3305 inclusive of said act are hereby reenacted revised and amended to read as follows

#### Article XXXIII

##### Enforcement of Ordinances

Section 3301 Proceedings for Violation of Township Ordinances All proceedings for the violation of township ordinances and for the collection of fines and penalties imposed thereby may be commenced by warrant or by summons at the discretion of the justice of the peace before whom the proceeding is begun No warrant shall be issued except upon complaint on oath or affirmation specifying the ordinance for the violation of which the same is issued All proceedings shall be directed to and be served by any policeman or constable of the township who shall execute the same anywhere within the State as may be provided by law Persons arrested for violation of a township ordinance shall be entitled to give bail for their appearance according to the practice in cases of summary proceedings Warrants shall be returnable forthwith and upon such return like proceedings shall be had in all cases as in summary convictions with the same right of appeal from any final judgment entered therein except where otherwise provided by existing laws

Section 3302 Arrests on View Complaints When any person is arrested on view a complaint on oath or affirmation shall be immediately made whereupon the like proceedings shall be had as upon a warrant issued

Section 3303 Disposition of Fines and Penalties All fines or penalties collected for the violation of township ordinances shall be paid over to the township treasurer

Section 3304 Incarceration of Violators of Township Ordinances Collection of Fines and Penalties Any person arrested for the violation of a township ordinance may

be committed to the township lockup pending a hearing or trial In case there is no suitable lockup or place in which to detain prisoners the person arrested may be committed to the county jail or workhouse No person shall be committed pending a hearing for a longer period than twenty-four hours except where Sunday intervenes Upon judgment against any person by summary conviction or by proceedings by summons on default of the payment of the fine or penalty imposed by said judgment and the costs the defendant may be sentenced and committed to the township lockup for a period not exceeding five days or to the county jail or workhouse for a period not exceeding thirty days No fine or penalty shall exceed three hundred dollars for any single violation of any ordinance In case the defendant has goods or property of any kind whatsoever out of which said judgment and costs can be collected by execution *capias* or other process the plaintiff in the action may elect to proceed to collect the said judgment by such proceedings

Section 3305 Township's Liability for Costs of Prisoners to County When a prisoner is committed to any county jail [or prison] or workhouse either for the non-payment of a fine or penalty imposed for the violation of any ordinance of a township or while awaiting a hearing upon any charge for the violation of any ordinance of a township the costs of proceedings and the expenses of maintaining such prisoner during his confinement by virtue of any such commitment shall be paid by the township whose ordinances were alleged to have been violated or to which any such fines or penalties are payable The county shall not be liable [to the sheriff] for any maintenance or to any officer or persons for any costs

Section 63 Article XXXIV and section 3401 to 3406 inclusive of said act are hereby reenacted revised and amended to read as follows

#### Article XXXIV

##### Actions by and Against Townships

Section 3401 Commissioners to Bring and Defend Suits All suits by a township shall be brought and conducted by the township commissioners In all suits against a township process shall be served [upon and defense] as provided by the Rules of Civil Procedure promulgated by the Supreme Court Defense shall be made by the township commissioners

Section 3402 Rights of Taxpayers to Inquire into Judgments Any taxpayer of any township may inquire into the validity of any judgment or defend the township in any suit or judgment upon filing a petition with the court of common pleas of the county in which such suit is pending or judgment exists accompanied by an affidavit that the taxpayer believes that injustice will be done to the township in such suit or judgment Whenever it is deemed necessary the court may order such taxpayer to file a bond with one or more sureties to be approved by court to save harmless the township from all costs that may accrue in such proceeding subsequent to the filing of such petition Whenever such intervention shall have taken place such taxpayer shall be deemed a party to the record and no settlement of any suit or judgment wherein such intervention shall have taken place shall be made without notice to such intervening taxpayer and an opportunity for him to be heard

Section 3403 Appeals by Taxpayers Whenever a judgment is rendered by any justice of the peace or alderman against any township and the right of appeal is given to such township and for ten days immediately after the rendition of such judgment the township officials neglect to perfect an appeal any taxpayer or such township may take an appeal in behalf of the township from such judgment to the court of common pleas of the county within the time prescribed for the taking of such appeal

Section 3404 Affidavit and Bail by Taxpayers In taking the appeal the taxpayer shall make an affidavit that

the same is not taken for the purpose of delay but because he verily believes that injustice has been done. The taxpayer shall pay the costs of the appeal and enter sufficient bail for the payment of all costs before the justice of the peace or alderman and all costs in the court of common pleas.

Section 3405 Taxpayers Parties to Suits Upon the filing of such appeal in the court of common pleas of the county the taxpayer shall be made a party to the suit and shall have the right to defend such township therein.

Section 3406 Recovery of Municipal Claims by Suit In addition to the remedies provided by law for the filing of liens for the collection of municipal claims townships may proceed for the recovery and collection of municipal claims by action of assumpsit against the person or persons who were the owner or owners of the property at the time of the completion of the improvement notwithstanding the fact that there was a failure on the part of any such township or its agents to enter any such municipal claim as a lien against the property assessed for the improvement and for the recovery of which the action of assumpsit was brought. Any such action in assumpsit shall be commenced within three years after the completion of the improvement from which said claim arises.

[This section shall extend to all municipal claims where the improvement was heretofore made where the action of assumpsit has been instituted under the provisions of prior acts of Assembly and where the claim is not barred by the statute of limitations affecting actions of debt or assumpsit.]

Section 64 Article XXXV of said act is hereby reenacted in part and revised and amended to read as follows

#### Article XXXV

##### Repeals

Section 3501 Nothing contained in this amendment revision and reenactment shall be construed to revive any act or part of an act heretofore repealed. The following additional acts and parts of acts are hereby repealed as respectively indicated:

The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts vocational school districts and institution districts to make contracts of life health hospitalization medical services and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" so far as it relates to townships of the first class.

The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 845) entitled "An act authorizing the publication of advertisements for bids for public works supplies or equipment in certain publications and journals devoted to information about construction work" so far as it relates to townships of the first class.

The act approved the first day of May one thousand nine hundred thirty-five (P. L. 124) entitled "An act authorizing the insurance of deposits of funds of this Commonwealth and of the political subdivisions thereof with the Federal Deposit Insurance Corporation or other similar agency and prohibiting requiring further security for amounts so insured" so far as it relates to townships of the first class.

The act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1173) entitled "An act to prohibit discrimination on account of race creed or color in employment under contracts for public buildings or public works" so far as it relates to townships of the first class.

The act approved the sixteenth day of March one thousand nine hundred thirty-seven (P. L. 98) entitled "An

act authorizing political subdivisions to stipulate in specifications upon which contracts for the construction alteration or repairs of any public work or improvement are entered into the minimum wages to be paid to laborers and mechanics and providing for the stipulation of penalties in such contracts where such minimum wage stipulations are violated and for the recovery of such penalties and their return in certain cases" so far as it relates to townships of the first class.

The act approved the fifth day of June one thousand nine hundred forty-one (P. L. 84) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated towns and townships of the first class maintaining a police force of not less than three members creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" so far as it relates to townships of the first class.

The act approved the first day of June one thousand nine hundred forty-five (P. L. 1232) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid operators of fire apparatus in boroughs incorporated towns and townships of the first class creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expenses on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" so far as it relates to townships of the first class.

Section 3502 All other acts and parts of acts inconsistent with supplied by or appertaining to the subject matter covered by this act are repealed. It is the intention that this act shall furnish a complete and exclusive system for the government and regulation of townships of the first class except as to the several matters enumerated in section 103 of this act. This act shall not repeal or modify any of the provisions of the Public [Service Company] Utility Law nor [the act entitled "An act to preserve the purity of the waters of the State for the protection of the public health" approved the twenty-second day of April one thousand nine hundred and five nor the act approved the twenty-fifth day of June one thousand nine hundred and thirteen (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" nor shall this act repeal or modify any of the provisions of any act of Assembly amendatory of law in force at the time of the passage of this act or otherwise adopted at the session of the General Assembly of one thousand nine hundred and thirty-one whether such acts were adopted prior to the passage of this act or shall be adopted subsequent to the passage of this act nor shall this act [repeal any such or part thereof in force at the time of the passage of this act which is amended by any act of Assembly adopted at the Session of the General Assembly of one thousand nine hundred and thirty-one] any law enforcement of which is vested in the Department of Health or the Sanitary Water Board or the provisions of any law the enforcement of which is vested in the Department of Forests and Waters or the Water and Power Resources Board.

And said bill having been read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection. The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 21 (Sec 704), page 79, lines 10, 11 and 12, by striking out the words "the year" in line 10, all of line 11, and the words "nually thereafter" in line 12; Amend Section 24 (Sec. 1001), page 90, line 4, by striking out the bracket before the word "annually"; Amend Section 24 (Sec. 1001), page 90, lines 6, 7 and 8, by striking out the words "[ on the Tuesday following the first Monday of January 1950 and" in line 6, all of line 7, and the words "thereafter At each such meeting the auditors" in line 8; Amend Section 24 (Sec. 1001, page 90, line 12, by striking out the word "temporary"; Amend Section 24 (Sec. 1001), page 90, line 12, by striking out the words "period or fiscal"; Amend Section 24 (Sec. 1003), page 92, line 12, by removing the bracket before the word "within" and after the word "and"; Amend Section 24 (Sec. 1003), page 92, lines 12, 13, 14, 15 and 16, by striking out the words "for the fiscal year" in line 12, all of lines 13 to 15, both inclusive, and the words "period or fiscal year They" in line 16; Amend Section 24 (Sec. 1003), page 92, line 20, by striking out the words "in the year 1950 and for the temporary fiscal period ending June"; Amend Section 24 (Sec. 1003), page 93, lines 1 and 2, by striking out all of line 1, and the words "of September succeeding the end of the fiscal period or fiscal year" in line 2; Amend Section 24 (Sec. 1003), page 93, line 10, by striking out the words "period or"; Amend Section 24 (Sec. 1003), page 93, line 11, by striking out the words "period or"; Amend Section 24 (Sec. 1003), page 93, line 12, by striking out the words "period or"; Amend Section 24 (Sec. 1004), page 93, line 14, by striking out the words "period or"; Amend Section 25 (Sec. 1103), page 102, lines 16 and 17, by striking out the words "or fiscal period"; Amend Section 25 (Sec. 1103), page 102, lines 17 and 18, by striking out the words "or fiscal period"; Amend Section 33 (Sec. 1609), page 163, line 17, by striking out the words "or fiscal period"; Amend Section 34, page 168, by striking out all of lines 15 to 19 inclusive; Amend Section 34, page 169, by striking out all of lines 1 to 6 inclusive; Amend Section 35, (Sec. 1701), page 169, line 10, by removing the bracket before the word "each"; Amend Section 35 (Sec. 1701), page 169, lines 12 to 15, both inclusive, by striking out the words "[ during the month of Decem-" in line 12, and all of lines 13, 14 and 15; Amend Section 35 (Sec. 1701), page 169, lines 18 and 19, by striking out the words "or temporary fiscal period"; Amend Section 35 (Sec. 1701), page 170, line 1, by striking out the words "or temporary fiscal period"; Amend Section 35 (Sec. 1701), page 170, line 6, by striking out the words "or temporary fiscal period"; Amend Section 35 (Sec. 1701), page 170, lines 8 and 9, by striking out the words "or temporary fiscal period"; Amend Section 35 (Sec. 1701), page 170, lines 18 and 19, by striking out the words "on or before the" in line 18, and all of line 19; Amend Sec. 35 (Sec. 1701), page 171, lines 1 to 3, both inclusive by striking out all of said lines; Amend Section 35 (Sec. 1704), page 175, line 10, by striking out the words "or temporary fiscal period"; Amend Section 35 (Sec. 1709), page 178, lines 9 to 13, both inclusive, by striking out all of said lines; Amend Section 35 (Sec.

1712), page 181, lines 9 to 13, both inclusive, by striking out the words "Delivery shall be made" in line 9, and all of lines 10 to 13 inclusive.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

On the question,

Shall the bill pass finally?

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do not take a recess for thirty minutes.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

#### HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 688 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 688, entitled:

An Act to further amend sections two hundred ten and five hundred eleven of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," establishing one procedure for changing, altering or establishing the width, lines, locations or grades of State highways in townships and boroughs and incorporated towns.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

#### HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 663 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 663, entitled:

An Act authorizing the compromise and arbitration of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

#### HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 456 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 456, entitled:

An Act to amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by providing for reimbursement of taxes paid on liquid fuels consumed in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 668

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 688, entitled:

An Act to amend sections two and three of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," by authorizing direct purchases in certain cases.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 879

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 879, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "Administrative Agency Law," by redefining "regulation"; changing provisions governing promulgation of regulations; imposing duties on the Department of State; extending the grounds for refusing to affirm adjudications of agencies; requiring all appeals to be taken to the Superior Court; and enumerating the agencies affected and the extent to which they are affected.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1048

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1048, entitled:

An Act to further amend clauses (a), (b), (c) and (f) of section three hundred six, and sections three hundred seven and three hundred nine of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "Workmen's Compensation Act of 1915" by changing the maximum and minimum rates and the total amounts and aggregate of compensation.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1060

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1060, entitled:

An Act to further amend clause (a) of section three hundred one, clauses (a), (c) and (f) of section three hundred six, and section three hundred seven, and to amend section three hundred nine of the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "The Pennsylvania Occupational Disease Act," by changing the maximum and minimum rates and total amounts and aggregate of compensation.

#### HOUSE CONCURS IN SENATE BILL No. 502

He also returned to the Senate, Senate Bill No. 502, entitled:

An Act to amend sections one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the term of office and the election of district superintendents and assistant district superintendents in all second and third class school districts of the Commonwealth.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 524

He also returned to the Senate, Senate Bill No. 524, entitled:

An Act to further amend section one thousand five hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by setting forth the qualifications of school nurses.

with the information that the House has passed the same without amendments

## HOUSE CONCURS IN SENATE BILL No. 529

He also returned to the Senate, Senate Bill No. 529, entitled:

An Act to further amend section three hundred nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by authorizing the county commissioners, during the last fifteen days of any fiscal year, to transfer and reappropriate any institution district funds to the General County Fund.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 532

He also returned to the Senate, Senate Bill No. 532, entitled:

An Act to further amend the act approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by providing for the establishment of anthracite mine inspection districts, the assignment of inspectors and their duties, and operators' reports.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 535

He also returned to the Senate, Senate Bill No. 535, entitled:

An Act to amend Rule fifty-four of Article twelve of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176) entitled, "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by providing for the posting of said act in pamphlet form at or near a mine or colliery.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 563

He also returned to the Senate, Senate Bill No. 563, entitled:

An Act to further amend sections one thousand eight hundred four and one thousand eight hundred nine of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further regulating the adoption and alteration of budgets.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 564

He also returned to the Senate, Senate Bill No. 564, entitled:

An Act to further amend sections three hundred sixty-one and three hundred seventy of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by imposing certain restrictions regarding preparation of proposed budgets.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No 580

He also returned to the Senate, Senate Bill No. 580, entitled:

An Act to further amend sections four and five of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pension in certain cases

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 583

He also returned to the Senate, Senate Bill No. 583, entitled:

An Act to amend clause XXVIII of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class an amending revising consolidating and changing the law relating thereto" by increasing the amount which township supervisors may expend to care for abandoned and neglected cemeteries, and providing for the payment of such care by the Commonwealth.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 598

He also returned to the Senate, Senate Bill No. 598, entitled:

An Act to amend subsection B of section one thousand five hundred and six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by adding thereto the provision that certain corporations created by merger or consolidation under the laws of any state of the United States other than Pennsylvania may act in a fiduciary capacity in this Commonwealth as successors in such capacity to any constituent corporation and to validate such actions heretofore performed by such corporations

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 601

He also returned to the Senate, Senate Bill No. 601, entitled:

An Act to further amend section eleven of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for retroactive service allowance of certain employees.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 633

He also returned to the Senate, Senate Bill No. 633, entitled:

An Act to amend section eight of the act approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095) entitled, "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and

to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals, and imposing penalties, and making appropriations," by requiring an operator to file a new bond with the Department of Mines at the end of an operational year, covering such acres as he estimates will be affected during the coming year which are not included in a former bond, and extending any unencumbered portion of a bond already filed with the Department so as to include and cover new acres.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 634

He also returned to the Senate, Senate Bill No. 634, entitled:

An Act to amend rule forty of article twelve of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by eliminating the need for the presence of a footman and headman at certain slopes and shafts.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 637

He also returned to the Senate, Senate Bill No. 637, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensign qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 638

He also returned to the Senate, Senate Bill No. 638, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 650

He also returned to the Senate, Senate Bill No. 650, entitled:

An Act to add section thirty point one of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by regulating the computation of certificate and loss reserves with respect to noncancellable health and accident benefits.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 651

He also returned to the Senate, Senate Bill No. 651, entitled:

An Act to amend section five of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1643), entitled "An act relating to certain existing beneficial societies; conferring certain rights, powers, and duties upon them, their officers and members; authorizing the payment of benefits by them in the event of sickness, accident, disability or death; regulating such societies and corporation; and limiting the amount for which they may issue membership certificates or policies; providing for reserves; imposing penalties; and repealing certain existing laws and parts of law," by changing the reserve requirements for such societies with respect to certain noncancellable health and accident insurance.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 703

He also returned to the Senate, Senate Bill No. 703, entitled:

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident, and non-resident real estate brokers and real estate salesmen and their business," by excluding auctioneers of land from the definition of real estate broker or salesman.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 732

He also returned to the Senate, Senate Bill No. 732, entitled:

An Act to amend part of section two of the act, approved the second day of July, one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax, payable by those herein defined as users, on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such users to secure licenses, to file bonds as a guarantee of payment of taxes, penalties, interest, fines uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State Officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensed users; and making appropriations," by further defining "public highways."

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 756

He also returned to the Senate, Senate Bill No. 756, entitled:

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating certain exceptions to the prohibition against possessing in or on vehicles and conveyances loaded fire arms and loose ammunition

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 767

He also returned to the Senate, Senate Bill No. 767, entitled:

An Act to further amend rule twenty-five of article twenty-five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by permitting the use of certain instruments and devices for tamping purposes under certain conditions.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 776

He also returned to the Senate, Senate Bill No. 776, entitled:

An Act to further amend clause nine of section one, of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration of the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth and contributing State employees, de thereof; establishing certain funds from contributions by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "Original member" to include certain additional employees.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 782

He also returned to the Senate, Senate Bill No. 782, entitled:

An Act to amend section seven hundred fifteen and to add section seven hundred twenty-one point one to the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons; and appropriating the Banking Department fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repeating certain acts and parts of acts," by further regulating liquidations of institutions as therein defined.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 810

He also returned to the Senate, Senate Bill No. 810, entitled:

An Act to further amend section six hundred nineteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the tilting including liens encumbrances and legal claims registration of certain vehicles and licensing the operations thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making municipalities jointly liable for negligence of their employees driving animal-drawn vehicles

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 830

He also returned to the Senate, Senate Bill No. 830, entitled:

An Act to further amend clause two of section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by further providing for assessment of property for maintenance of lights on roads and highways.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 851

He also returned to the Senate, Senate Bill No. 851, entitled:

An Act to add clause XLII to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the supervisors to appropriate money towards nonprofit ambulance services

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 866

He also returned to the Senate, Senate Bill No. 866, entitled:

An Act to further amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 867

He also returned to the Senate, Senate Bill No. 867, entitled:

An Act to further amend clause thirty-four of section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 868

He also returned to the Senate, Senate Bill No. 868, entitled:

An Act to further amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184), entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day," by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 875

He also returned to the Senate, Senate Bill No. 875, entitled:

An Act to add section one thousand three hundred ten point one to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the conversion of certain personal property taken without escheat, and conferring jurisdiction on the Court of Common Pleas of Dauphin County.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 879

He also returned to the Senate, Senate Bill No. 879, entitled:

An Act to amend the first paragraph and clauses (1) and (3) of subsection (b) of section two hundred one, of the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing for the erection of buildings for the administration of said act on land in or in the immediate vicinity of the City of Harrisburg presently owned by the Commonwealth, and the conveyance or leasing of such land to persons, firms or corporations for such purpose, and for the leasing of such buildings to the Commonwealth, the same to become the property of the Commonwealth upon termination of such lease.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 883

He also returned to the Senate, Senate Bill No. 883, entitled:

An Act to amend the title and act, approved the sixteenth day of July, one thousand nine hundred forty-one (P. L. 386), entitled "An act providing for the establishment, construction, operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains through, bordering or accessible to the counties of Monroe, Northampton, Carbon, Luzerne, Lackawanna, Wayne and Pike, to be known as the 'Rim Parkway'; providing for the creation of the Pennsylvania Parkway Commission, and conferring powers, and imposing duties on said commission; authorizing the issuance of parkway revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such parkway; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the parkway; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such parkway shall become free; providing for condemnation, granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission, conferring power and imposing duties on the Department of Highways; authorizing the issuance of parkway revenue refunding bonds, and making an appropriation," by changing the name and extending the length of the parkway; establishing the parkway as a memorial providing that the costs of making surveys, estimates of costs and plans for construction shall be paid from the proceeds of bonds issued by the commission; and repealing the appropriation previously made.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 885

He also returned to the Senate, Senate Bill No. 885, entitled:

An Act for the government, management and control of county jails and prisons in counties of sixth, seventh, and eighth classes.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 890

He also returned to the Senate, Senate Bill No. 890, entitled:

A Joint Resolution proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto Section twenty-two.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 893

He also returned to the Senate, Senate Bill No. 893, entitled:

An Act to amend subsection (a) of section one thousand five hundred eighteen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing provisions for text books on fire dangers and prevention of fire waste.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 897

He also returned to the Senate, Senate Bill No. 897, entitled:

An Act to further amend subsection A of section one thousand twelve of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing banks and trust companies to make loans on security of bonds secured by mortgages upon real property situated within the Commonwealth when said mortgages are insured by the United States Department of Agriculture.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 899

He also returned to the Senate, Senate Bill No. 899, entitled:

An Act to amend subsection (b) of section one thousand one hundred three of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of thier motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing cities of the third class to remove and impound vehicles

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 902

He also returned to the Senate, Senate Bill No. 902, entitled:

An Act to amend section two of the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employees and imposing penalties," by further providing for the collection of delinquent taxes in certain cases.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 905

He also returned to the Senate, Senate Bill No. 905, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by exempting from taxation the volume of business derived from certain sales of trade-ins

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 913

He also returned to the Senate, Senate Bill No. 913, entitled:

An Act giving to cities, boroughs and townships, certain temporary powers, regarding rent control.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 929

He also returned to the Senate, Senate Bill No. 929, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-one (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highway, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence imposing upon

owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by changing requirements for accident reports.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 930

He also returned to the Senate, Senate Bill No. 930, entitled:

An Act to reenact and amend the title and to reenact the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 553), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles, and to make uniform the law with reference thereto; requiring operators and owners of automobiles, under certain circumstances, to furnish proof of financial responsibility, as herein defined; providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer, and prothonotaries; and prescribing penalties."

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 936

He also returned to the Senate, Senate Bill No. 936, entitled:

An Act to amend sections two, three, four, five, six, seven and eight of the act approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 368), entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents, and providing penalties," by defining substandard anthracite; requiring producers, dealers and persons engaged in the sale of anthracite to issue certain statements and keep certain records; and changing penalties.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 944

He also returned to the Senate, Senate Bill No. 944, entitled:

An Act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines, and the expenses incident to their office.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 945

He also returned to the Senate, Senate Bill No. 945, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14)

entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the examination and clinical treatment of pupils by psychologists and psychiatrists.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 951

He also returned to the Senate, Senate Bill No. 951, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 957

He also returned to the Senate, Senate Bill No. 957, entitled:

An Act to amend section nine hundred fifteen of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for city expenditures for city business.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 960

He also returned to the Senate, Senate Bill No. 960, entitled:

An Act authorizing the Department of Forests and Waters to accept on behalf of the Commonwealth certain real estate situate in Elk County subject to the reservations in the chain of title.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 963

He also returned to the Senate, Senate Bill No. 963, entitled:

An Act to amend subsection (b) of section one thousand three hundred seventy-six, and subsection (b) of section one thousand three hundred seventy-seven of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing payments by the Commonwealth for instruction of parents of certain blind children in caring for such children.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 967

He also returned to the Senate, Senate Bill No. 967, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor, and the

Board of Trustees of Mansfield State Teachers College, to acquire a tract of land for the use of Mansfield State Teachers College; and making an appropriation therefor.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 975

He also returned to the Senate, Senate Bill No. 975, entitled:

An Act to facilitate vehicular traffic in the eastern section of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near the City of Scranton in Lackawanna County, to connect with the Pennsylvania Turnpike at such point near Harrisburg, as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system; and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes and relocations and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 976

He also returned to the Senate, Senate Bill No. 976, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Indiana State Teachers College, to acquire a tract of land for the use of the Indiana State Teachers College; and making an appropriation therefor.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 977

He also returned to the Senate, Senate Bill No. 977, entitled:

An Act to authorize any administrative department, board, commission, agency or instrumentality of the Commonwealth and in its behalf, with the approval of the Governor to sell, assign or transfer any lands, easements or rights in lands together with improvements and any contracts or agreements to any Authority created by the General Assembly of the Commonwealth; to enter into contracts with such Authority and repealing certain Acts of Assembly.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 980

He also returned to the Senate, Senate Bill No. 980, entitled:

An Act to amend Sections six, eight and nine of the act approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095), entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals and imposing penalties and making appropriations," by increasing the amount of the bond to be furnished by an operator and clarifying the provisions requiring a bond and further regulating the furnishing of bonds.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 985

He also returned to the Senate, Senate Bill No. 985, entitled:

An Act to authorize political subdivisions to acquire by purchase, condemnation or in any other manner, pillars in anthracite and bituminous coal mines or other property necessary to the support of the surface above such mines or structures thereon, in order to prevent subsidence thereof.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 986

He also returned to the Senate, Senate Bill No. 986, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of West Chester State Teachers College, to acquire two tracts of land for the use of West Chester State Teachers College; and making an appropriation therefor.

with the information that the House has passed the same without amendments.

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED BY THE SENATE TO SENATE BILL No. 105 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 105, entitled:

An Act to further amend sections two hundred five and two hundred nine and to amend section four hundred forty-two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creat-

ing, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and the several, administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by changing and fixing the salaries of certain officers of the Commonwealth.

and has appointed Messrs. BRUNNER, JR., SMITH and READINGER as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

Senate Bill No. 983 returned with amendments.

He also returned to the Senate, Senate Bill No. 983, entitled:

An Act to amend the act approved the thirty-first day of May, one thousand nine hundred forty-five (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," by further regulating the mining of bituminous coal by the open pit mining method.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 983, entitled:

An Act to amend the act approved the thirty-first day of May, one thousand nine hundred forty-five (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," by further regulating the mining of bituminous coal by the open pit mining method.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 19, by striking out after the word "Section" and before the word "Before", the following: "5" and inserting in lieu thereof, the following: "4"; Amend Section 1, page 4, line 5, by striking out the brackets around the word "land"; Amend Section 1, page 4, line 5, by striking out after the word "land" and before the word "that", the following: "coal"; Amend Section 1, page 4, line 5, by striking out the right-faced bracket after the word "operator" and before the word "will"; Amend Section 1, page 4, line 5, by striking out after the word "affect", the following: "expects to mine"; Amend Section 1, page 4, line 11, by striking out after the word "of", the following: "three" and inserting in lieu thereof, the following:

"[twol three"; Amend Section 1, page 4, line 12, by striking out after the word "dollars" and before the word "per," the following: "(\$300.00)" and inserting in lieu thereof, the following: "[\$200.00] (\$300.00)"; Amend Section 1, page 4, line 13, by inserting brackets around the word "coal"; Amend Section 1, page 4, line 13, by inserting after the word "coal" and before the word "which", the following: "land"; Amend Section 1, page 4, line 13, by striking out after the word "that" and before the word "will", the following: "he"; Amend Section 1, page 4, line 13, by striking out the right-faced bracket after the word "will" and before the word "be"; Amend Section 1, page 4, line 13, by inserting a right-faced bracket after the word "be" and before the word "stripped"; Amend Section 1, page 4, line 13, by striking out after the left-faced bracket and before the word "by", the following: "mine" and inserting in lieu thereof, the following: "affected"; Amend Section 1, page 4, line 15, by striking out after the word "than" and before the word "thousand", the following: "three" and inserting in lieu thereof, the following: "[twol three"; Amend Section 1, page 4, line 15, by striking out after the word "dollars", the following: "(\$3,000.00)" and inserting in lieu thereof, the following: "[\$2000.00] (\$3000.00)"; Amend Section 1, page 4, lines 17 and 18, by striking out after the word "operation" in line 17, and before the word "and" in line 18, the following: "from which coal has been removed during the respective registration year"; Amend Section 1, page 6, line 13, by striking out after the word "of" and before the word "by", the following: "coal mined" and inserting in lieu thereof, the following: "land affected"; Amend Section 1, page 7, line 12, by striking out the brackets around the words "land affected"; Amend Section 1, page 7, line 13, by striking out before the word "by", the following: "coal mined"; Amend Section 1, page 8, line 1, by striking out the brackets around the words "land affected"; Amend Section 1, page 8, line 1, by striking out after the left-faced bracket and before the word "by", the following: "coal mined"; Amend Section 1, page 8, line 10, by striking out the brackets around the words "land affected"; Amend Section 1, page 8, line 10, by striking out after the left-faced brackets, the following: "coal mined"; Amend Section 1, page 8, lines 11 to 14, by striking out after the word "year" in line 11, all of said lines; Amend Section 1, page 8, line 16, by inserting brackets around the word "area"; Amend Section 1, page 8, line 16, by inserting after the word "area" and before the right-faced bracket, the following: "land"; Amend Section 1, page 8, line 16, by striking out the brackets around the word "affected"; Amend Section 1, page 8, lines 16 and 17, by striking out after the left-faced bracket in line 16, and before the word "by" in line 17, the following: "of coal mined"; Amend Section 1, page 8, line 18, by striking out after the word "of" and before the word "hundred", the following: "three" and inserting in lieu thereof, the following: "[twol three"; Amend Section 1, page 8, line 19, by striking out after the part-word "lars" and before the word "per", the following: "(\$300.00)" and inserting in lieu thereof, the following: "[\$200.00] (\$300.00)"; Amend Section 1, page 8, line 19, by inserting brackets around the word "area"; Amend Section 1, page 8, line 19, by inserting after the word "area" and before the word "actually", the following: "land"; Amend Section

1, page 9, line 2, by inserting brackets around the word "area"; Amend Section 1, page 9, line 2, by inserting after the word "area" and before the right-faced bracket, the following: "land"; Amend Section 1, page 9, line 2, by striking out the brackets around the words "actually affected"; Amend Section 1, page 9, line 3, by striking out before the word "by", the following: "of coal mined"; Amend Section 1, page 9, line 7, by inserting after the word "aforesaid", the following: "provided that no bond or collateral shall be released below three thousand dollars (\$3000.00) in the absence of complete compliance with the requirements of this act"; Amend Section 1, page 9, line 11, by striking out after the word "shall" and before the word "with", the following: "register" and inserting in lieu thereof, the following: "reregister"; Amend Section 1, page 9, line 13, by inserting brackets around the word "certificate"; Amend Section 1, page 9, line 13, by inserting after the word "certificate" and before the word "Provided", the following "reregistration"; Amend Section 1, page 9, line 14, by inserting after the word "Mines" and before the word "apply", the following: "and the surety if any"; Amend Section 1, page 15, line 5, by striking out the right-faced bracket after the word "heard" and before the word "upon"; Amend Section 1, page 15, line 6, by striking out the left-faced bracket after the word "to" and before the word "by"; Amend Section 1, page 15, line 6, by striking out after the left-faced bracket and before the word "the", the following: "by"; Amend Section 1, page 15, line 6, by striking out the right-faced bracket after the word "court" and before the word "as"; Amend Section 1, page 15, line 6, by striking out after the word "aforesaid" and before the word "No", the following: "[de novo]"; Amend Section 1, page 15, line 6, by striking out after the word "testimony" and before the word "shall", the following: "[Testimony]"; Amend Section 1, page 15, line 8, by striking out the right-faced bracket after the word "testimony" and before the word "and"; Amend Section 1, page 15, line 9, by striking out after the word "the" and before the word "court", the following: "[The]"; Amend Section 1, page 16, line 17, by striking out the right-faced bracket after the word "bonds" and before the word "and"; Amend Section 1, page 16, line 17, by inserting after the word "and" and before the word "cash", the following: "collateral"; Amend Section 1, page 17, line 3, by inserting a left-faced bracket after the word "Waters" and before the word "for"; Amend Section 1, page 17, line 3, by striking out the left-faced bracket after the word "planting"; Amend Section 2, page 17, line 5, by striking out after the word "eighteen" and before the word "new", the following: "a" and inserting in lieu thereof, the following: "two"; Amend Section 2, page 17, line 5, by striking out after the word "new" and before the word "reading", the following: "section" and inserting in lieu thereof, the following: "sections"; Amend Section 2, page 17, lines 13 and 14, by striking out after the word "the" in line 13 and before the word "by" in line 14, the following: "area mined" and inserting in lieu thereof, the following: "land affected"; Amend Section 2, page 17, by inserting between lines 14 and 15, the following: "Section 18.2 In addition to any other remedy at law or in equity or under this act the attorney general may apply to the court of common pleas of Dauphin

County for relief by injunction or to the court of common pleas of the county wherein the operation is situated to enforce compliance with or restrain violations of any provisions of this act or any rule regulation or order made pursuant thereto the said court of common pleas of Dauphin County is hereby vested with jurisdiction to hear and determine all such actions by the attorney general regardless of where they may arise in the Commonwealth

The remedy prescribed in this section shall be deemed concurrent or contemporaneous with any other remedy and the existence or exercise of any one remedy shall not prevent the exercise of any other remedy."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 983

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 983.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 170, entitled:

An Act to amend section ninety-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by removing the limitation on the amount which may be spent for hotel and traveling expenses, increasing the number of days of the annual meeting and the allowable expenses for holding the same.

Senate Bill No. 193, entitled:

An Act concerning Notaries Public and amending, revising, consolidating and changing the law relating thereto.

## Senate Bill No. 243, entitled:

An Act to consolidate amend and revise the penal laws of the Commonwealth.

## Senate Bill No. 248, entitled:

An Act providing for the payment of the court of certain moneys involved in disputes between the Commonwealth of Pennsylvania and any county officer acting as agent of the Commonwealth.

## Senate Bill No. 266, entitled:

An Act to further amend section two of the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State county purposes; and in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by further regulating the returns of taxable property and the payment of taxes by certain taxpayers under the provisions of said act.

## House Bill No. 291, entitled:

An Act to regulate deliveries of light fuel oil to domestic consumers; conferring powers and imposing duties on the Department of Internal Affairs, and the inspectors of weights and measures of the several counties and cities; and prescribing penalties.

## Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight and of carrying out the provisions of existing laws relating thereto

## Senate Bill No. 296, entitled:

An Act to amend section four hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 1017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by clarifying the powers and duties of the institution districts and other public agencies furnishing assistance.

## Senate Bill No. 352, entitled:

An Act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions.

## Senate Bill No. 358, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs and improvements to existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

## Senate Bill No. 376, entitled:

An Act to further amend sections one thousand two hundred fourteen and one thousand two hundred fifteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," by providing for the employment of a supervising principal, granting certain powers, and defining his duties.

## House Bill No. 399, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," authorizing the change of the fiscal year by districts of the second class.

## Senate Bill No. 410, entitled:

An act requiring the county commissioners to provide, at the expense of the county, telephone service, typewriters, stenographers, office space, materials and other equipment for the use of the county superintendent of schools.

## Senate Bill No. 442, entitled:

An Act to amend section eighty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto" by further providing for the payment of expenses of sheriffs at meetings of their State associations increasing the allowable expenses for holding the same.

## House Bill No. 478, entitled:

An Act to further amend section one thousand four hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code" by permitting courts of common pleas, in certain cases, to direct compromise settlements of state taxes due, on certain land, title to which is in a local taxing authority.

## House Bill No. 536, entitled:

An Act to add section one thousand two hundred fifty-one point one to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by providing for annual payments by the Commonwealth to school districts erecting or sharing in the erection of a building or buildings or providing educational facilities under provisions of the State Public School Building Authority Act.

## House Bill No. 628, entitled:

An Act to amend section four hundred seventeen of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1225) entitled "The Game Law," by excluding from the definition "road-side menagerie" any animal exhibition at a county fair or

any such exhibition when sponsored by any sportsmen's organization with the approval of the Pennsylvania Game Commission.

**Senate Bill No. 647, entitled:**

An Act relating to insurers not authorized to transact business in this State; providing for actions in this State against and for the service of process upon such insurers; prescribing how a defense may be made by such insurers; and providing for the allowance of attorneys fees in actions against such insurers.

**House Bill No. 665, entitled:**

An Act to further amend subsection (c) of section one thousand four hundred six and section one thousand four hundred eighteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by requiring the furnishing of free transportation or board and lodging in certain boroughs and reimbursement by the Commonwealth therefor; and validating Commonwealth reimbursements heretofore made.

**Senate Bill No. 797, entitled:**

An Act to further amend section four hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissions; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing for the compensation of judges, inspectors, clerks and machine inspectors, and for mileage to persons furnishing transportation for transmitting returns and ballot boxes at primaries and elections.

**House Bill No. 809, entitled:**

An Act to amend section one of the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," by exempting from the provisions of said act explosives stored and used in connection with coal mines and coal mining operations.

**House Bill No. 814, entitled:**

An Act fixing the fees and mileage of the coroner in counties of the sixth class.

**Senate Bill No. 834, entitled:**

An Act to reenact and amend the title and the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own

sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, co-partnership, association, common law trust or corporation, except a non-profit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by including in the plan certain dental services; defining "dental services" and further defining "medical services."

**Senate Bill No. 835, entitled:**

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State Departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by making further provisions relating to nonprofit medical service corporations, by extending the provisions of said act relating to the furnishing of medical services by non-profit medical service corporations so as to include the furnishing of certain dental services to subscribers and their dependents, and by providing that the articles of incorporation of existing nonprofit medical service corporations are amended by the provisions of this act so as to authorize the furnishing of such dental services by doctors of dental surgery.

**Senate Bill No. 853, entitled:**

An Act to amend section seven hundred seventy-five of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the leasing of school property for any educational purpose approved by the Superintendent of Public Instruction or State Council of Education; and validating prior leases.

**House Bill No. 926, entitled:**

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by regulating service for pensions, and eligibility for pensions.

Senate Bill No. 928, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by further defining "Judgment," requiring additional information in accident reports; providing for the determination of security by the secretary; providing for proof of financial responsibility in additional cases; providing penalties for furnishing false information and changing effective date of said act.

House Bill No. 980, entitled:

An Act to amend sections two and thirteen of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within the Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties," by changing license fee provisions; providing for payment of fees and fines to the various municipalities; and empowering burgesses to try violators.

House Bill No. 1047, entitled:

An Act providing for the enforcement of foreign judgments by the registration thereof in the courts of this Commonwealth, prescribing procedure for the obtaining of jurisdiction over the judgment debtor, the raising of defenses thereto, appeals therefrom, and execution thereon and saving existing methods of enforcing the same.

House Bill No. 1048, entitled:

An Act to further amend clauses (a), (b), (c) and (f) of section three hundred six, and sections three hundred seven and three hundred nine of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled as amended "Workmen's Compensation Act of 1915," by changing the maximum and minimum rates and the total amounts and aggregate of compensation.

House Bill No. 1060, entitled:

An Act to further amend clause (a) of section three hundred one, clauses (a), (c) and (f) of section three hundred six, and section three hundred seven, and to amend section three hundred nine of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "The Pennsylvania Occupational Disease Act," by changing the maximum and minimum rates and total amounts and aggregate of compensation.

House Bill No. 1301, entitled:

An Act to add section one thousand two hundred eight point one to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "Vehicle Code," "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof,

upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations, facts or circumstances.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

## NOMINATIONS BY THE GOVERNOR

### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. LORD, JR. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 28, 1949.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

### INDIANA COUNTY

Mrs. Viola Dick, Homer City  
Mrs. Loree McCoy, Indiana

### PHILADELPHIA COUNTY

Miss Jean C. Warrington, 1700 Chestnut Street

### YORK COUNTY

K. K. Kramer, Jr., Hanover

JAMES H. DUFF.

A motion was made by Mr. LORD, JR. and MR. WALKER.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland.	Peelor,	Wade,
Chapman,	Homsher.	Robinson,	Wagner,
Crowe,	Kephart.	Rosenfeld,	Walker,
Dent.	Lane,	Ruth,	Watkins,
Diehm.	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doshla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 394

Mr. MAHANY. Mr. President, I submit the report of the Committee of Conference on House Bill No. 394, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," as heretofore amended and reenacted, by changing the fiscal year and the dates for meetings, budgets, taxation, audits, and reports, changing the compensation of supervisors and auditors and the expense allowance of delegates, providing for appointment of non-resident persons as tax collectors and policemen, authorizing police pension annuities, empowering supervisors to acquire and operate airports, to establish police protection districts and assess the cost thereof, to widen, deepen and embank water-courses, to employ township managers and certified public accountants, changing the definition of volunteer firemen for workmen's compensation insurance purposes, the method of advertising for bids, the limitation on taxes for fire hydrant purposes, the requirements for street and road improvements, and the vote of supervisors required for zoning changes, and clarifying and revising certain provisions of said act.

The PRESIDENT. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 28

Mr. MAHANY. Mr. President, I desire to report the Committee of Conference on House Bill No. 28, entitled:

An Act to further amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, and four thousand three hundred twenty-four of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," further regulating the retirement of firemen on pensions; and requiring certain payment to be made to the Firemen's Pension Fund by cities.

were unable to agree.

The PRESIDENT. The report will be filed.

## HOUSE MESSAGE

HOUSE DISCHARGES COMMITTEE OF CONFERENCE  
ON HOUSE BILL No. 349

The Clerk of the House of Representatives being in-

troduced, informed the Senate that the House has discharged the House Committee of Conference on House Bill No. 349, entitled:

An Act to further amend section three of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled, as amended "Beverage Tax Law," increasing the rates of certain taxes for a further limited period of time.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN  
AMENDMENTS TO HOUSE BILL No. 349

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 349, entitled:

An Act to further amend section three of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled as amended, "Beverage Tax Law," increasing the rates of certain taxes for a further limited period of time.

COMMITTEE OF CONFERENCE ON HOUSE BILL  
NO. 349 DISCHARGED

Mr. WALKER. Mr. President, I move that the Committee of Conference, on the part of the Senate, on House Bill No. 349, entitled:

An Act to further amend section three of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled as amended "Beverage Tax Law," increasing the rates of certain taxes for a further limited period of time.

be discharged.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

MOTION THAT SENATE RECEDES FROM ITS AMENDMENTS  
NON-CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 349

Mr. WALKER. Mr. President, I move that the Senate recede from its amendments non-concurred in by the House to House Bill No. 349, entitled:

An Act to further amend section three of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled, as amended "Beverage Tax Law," increasing the rates of certain taxes for a further limited period of time.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HALUSKA. Mr. President, House Bill No. 349 is known as the beverage tax bill, and I think a great injustice is being done to this industry at this time. The brewing industry of our Commonwealth has been obliged and gone along the last two years, and for years on back, and paid a tax upon their product. They made no opposition when the Governor of the Commonwealth asked them to absorb a further tax program. The brewing industry now pays more tax on their product than any one industry in the Commonwealth.

Mr. President, they have asked for an allowance of five per cent on breakage. I thought they were very liberal. The men on Capitol Hill, without any squabble

of any kind, gave the soda pop men an eight per cent refund on breakage. We men here on Capital Hill have made an allowance for the cigarette people. We also have made an allowance for the gasoline men. Here we have one industry which pays more tax than any other industry on their product, and who have been very liberal in their request, because, Mr. President, this industry is different than the soda pop men. Do my colleagues realize that they do have breakage? When soda pop is manufactured, Mr. President, this product is not pasteurized, they have no chance of breakage, but the brewing industry must pasteurize their beer. I am in that business I have knowledge of it, and, Mr. President, it is impossible to put a batch of beer through pasteurization without coming out with a great loss every hour because of the heat and the change of temperature. We must have a breakage refund. We don't mind paying our fair tax. We want to do our part. The men in this Chamber go along with the soda pop men on eight per cent, they go along with the cigarette people on three per cent, and they go along with the gasoline people on three per cent, so why now the discrimination on one of the most important industries of our Commonwealth?

Mr. President, I think it is very unfair, and very unjust to have us come out of this Session on the short end. I guess because we didn't lobby the place. We were courteous, we were decent, we made no offers. We thought our proposition would stand upon its own merits, but it seems to me now that we must have a new form of attack—take everybody out on parties, make all kind of promises, and maybe in this way we can get justice.

Mr. President, I cannot do much about it. I am sorry, but this body has taken that position, and I am going to ask my colleagues to vote, no, on receding from the amendments placed in House Bill No. 349.

I ask for a roll call, Mr. President.

Mr. DENT. Mr. President, I happen to be a member of the Conference Committee that was named on this piece of legislation, and I understand that this motion will, of course, discharge the Conference Committee, and will put the bill in the same position as it was when it came from the House. I do not think it ought to be misinterpreted by those who are watching the vote in the Senate at the moment that a vote against this particular motion is a vote against the beer tax itself.

Mr. President, all of us recognize that under certain circumstances in which we now find ourselves in, that it would be suicide to vote against the tax itself. If we are to have any kind of administration during the next two years, then of necessity we must provide the means by which this administration can carry forward. However, I want to put myself on record as being opposed to the idea of picking out this particular tax paying group because of the nature of the industry that they represent, and denying to them their just measure of relief in the matter of collection, in the matter of prepayment of crown, in the matter of the entire question of collecting and paying into the state a tax of \$40,000,000. I think that when we set a precedent and say to the cigarette people, for the labor that you have performed to collect this tax, for the money that you must advance to the Commonwealth of Pennsylvania, acting as a broker in the tax matter for them, for the state, we will allow you four to five per cent of the total tax collected; then again, when

you say to the gasoline distributors in the Commonwealth, you are permitted because of the extra labor—and I believe in the principle, and that is why I am on my feet at this moment—you say to them you, too, can collect up to three per cent for the collection of this tax. We allow you a so-called breakage and refund and expenses. Then again we say to the soda pop people, we allow you eight per cent of your total tax for breakage, and for the additional labor involved in the collection and financing of this, and then you say to the one large taxpayer that year after year comes to Harrisburg and finds itself the victim of many discriminatory bills, finds itself restricted in a straight jacket business, and then every year we talk about giving them tax relief on the basis of allowing them a reasonable amount of the tax for the collection and for the additional expense.

Mr. President, you must realize that a small brewer goes out to borrow money at 6%, mind you, to buy the pre-paid tax crown, and all we are asking is that they be given some relief in the operation of their businesses.

Mr. President, this is an excise tax. It is a sales tax on a specific industry, and it is the only instance where a specific tax has been placed against an industry, and no allowance is made for breakage, no allowance is made for the disparity between the amount collected and the amount paid into the state, and so I say that the brewers of Pennsylvania find themselves every two years the last victims of the Legislature. It seems that ever since I can remember, the brewery industry receives the last blow that is dealt by the dying Legislature. It seems they only have enough strength left in their right foot to kick the one industry that can't kick back, and so they leave it until last to do the job.

Mr. President, I am going to say to the brewers of Pennsylvania that I will be here two years hence, unless the Lord intervenes, and if I am here I intend to fight to re-establish this principle that is now being taken from them, that of repayment for part of the expenses to the brewing industry the same as we do to the others. I think I can safely pledge the Democratic Party to that program, and so I want to protest against this last minute knifing of an innocent industry.

Mr. BARR. Mr. President, last evening when the Republican Members went to their last Caucus—of course, I have nothing to do with their Caucus—but it was decided that the only bill that would be taken up was House Bill No. 460, classification of the first class townships. I understand that some of the friends of this industry were not at the Caucus.

In my opinion, Mr. President, the Majority Party is acting in bad faith to a number of their Members.

Mr. HOLLAND. Mr. President and Members of the Senate, I do not think anyone can say that I have any interest in either the breweries or beer because I am a teetotaler, but I do not think it is fair to an industry in Pennsylvania to do what we have done to them at each Session of the Legislature. I do not know of any industry in Pennsylvania that has better labor and management relationships than the brewery industry. I do not know of any industry in Pennsylvania that pays their employees as well as the brewery industry.

Now, Mr. President, with all this, they are the only industry in Pennsylvania that pays 54% tax. If they sell a barrel of beer, 54% of the money they obtain from that

barrel of beer is paid either to the State or Federal Government on taxes, and I say to you that a tax system which will take 54% of the proceeds of an industry, the sponsors of such a system are trying their best to destroy that industry. If we are going to insist that they pay tax on money that they don't even receive by not allowing this breakage, which we know of and which we all know occurs because we have recognized it in other industries, I say to the Senate of Pennsylvania, we are doing our best to destroy an industry by overtaxing it, and even taxing it out of money it doesn't receive.

Mr. President, I also am going to vote against this bill because I do not want to be considered a party to any unfairness, as will be shown when the Senators pass this bill, as I know they will. We are attacking one of the best industries in the State of Pennsylvania, and I think that the gentlemen should consider that when they cast their votes.

Mr. President, I ask for a roll call.

Mr. WALKER. Mr. President, I want to interject a partisan flavor in the dying hours of the Session when we have had such a constructive nonpartisan Session since we opened in January.

Mr. President, I just want to remind the gentlemen of the Senate, simply for the record, that the amendment was placed in the bill in the Senate, and a great many of the gentlemen on both sides of the aisle were very desirous of doing something for the brewing industry. As all of the Members of the Minority Party know, we have reached practically an impasse in the problem, and it almost resolves itself into a question of taking the action that is now before the Senate for determination or jeopardizing a large portion of the administration tax program.

For that reason, Mr. President, we have taken the position that we have. In a great many instances, it has been done very reluctantly because of the sympathy that the gentlemen have for the industry involved, and I think purely on that basis, that the problem is now presented to the Senate.

Mr. BARR. Mr. President, may I interrogate the Majority Floor Leader, Senator Walker?

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. BARR. Mr. President, I would like to inquire of Senator Walker, on this motion, we are not voting against the tax on beer. Is that correct?

Mr. WALKER. Mr. President, in answer to the question raised by Senator Barr, the gentleman is correct. The only question before the Senate is whether or not the Senate will recede from the amendments placed in the bill by the Senate.

The PRESIDENT. The motion is to recede. The Clerk will call the roll.

And the question recurring,

Will the Senate agree to the motion?

(During the calling of the roll the following occurred:)

Mr. DENT. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,  
Chapman,  
Diehm,  
Donlan,  
Farrell,

Frazier,  
Hare,  
Letzler,  
Lord,  
Meade,

Peelor,  
Robinson,  
Scarlett,  
Stevenson,  
Taylor,

Wagner,  
Walker,  
Watkins,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Barr,  
Barrett,  
Blass,  
Crowe,  
Dent,  
DiSilvestro,

Doehla,  
Geltz,  
Haluska,  
Holland,  
Lane,  
Mallery,

Neff,  
Pechan,  
Rosenfeld,  
Ruth,  
Snowden,  
Stiefel,

Tallman,  
Tarr,  
Wade,  
Watson,  
Yosko,

The PRESIDENT. Are there any corrections. The Chair hears none. The negative roll will stand as verified.

The vote on the motion: Ayes 21, Nays 23.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—21

Berger,  
Chapman,  
Diehm,  
Donlan,  
Farrell,  
Frazier,

Hare,  
Letzler,  
Lord,  
Meade,  
Peelor,

Robinson,  
Scarlett,  
Stevenson,  
Taylor,  
Wagner,

Walker,  
Watkins,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,

#### NAYS—23

Barr,  
Barrett,  
Blass,  
Crowe,  
Dent,  
DiSilvestro,

Doehla,  
Geltz,  
Haluska,  
Holland,  
Lane,  
Mallery,

Neff,  
Pechan,  
Rosenfeld,  
Ruth,  
Snowden,  
Stiefel,

Tallman,  
Tarr,  
Wade,  
Watson,  
Yosko,

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

#### HOUSE MESSAGE

#### HOUSE DISCHARGES COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 28

The Clerk of the House of Representatives being introduced, informed the Senate that the House has discharged the House Committee of Conference on House Bill No. 28, entitled:

An Act to further amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, and four thousand three hundred twenty-four of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," further regulating the retirement of firemen on pensions; and requiring certain payments to be made to the Firemen's Pension Fund by cities.

#### COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 28 DISCHARGED

Mr. WALKER. Mr. President, I move that the Committee of Conference, appointed on the part of the Senate, on House Bill No. 28, be discharged.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. HARE. Mr. President, I second the motion. The motion was agreed to.

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

## HOUSE MESSAGES

## HOUSE CONCURS IN SENATE BILL NO 747

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 747, entitled:

An Act to amend section three hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by directing that an allowance be paid to every county controller for the expenses pertaining to the institution district.

with the information that the House has passed the same without amendments.

## SENATE BILL NO. 671 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 671, entitled:

An Act to amend section one hundred two, clause (a) of section three hundred six, clauses (b) and (d) of section three hundred seven, clauses (a) and (b) of section three hundred eight, clause (a) of section three hundred fourteen, clause (a) of section five hundred one, and sections six hundred one, seven hundred one and seven hundred three of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution districts taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the pro-

ceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by authorizing counties to elect to become subject to said act; providing for the transfer of tax claims to the Tax Claim Bureau and for the determination of the validity of tax claims; changing dates for the return of property on which taxes are delinquent, for making up claims, for notice to delinquent taxpayers, for the period of redemption and for tax sales; providing when interest shall begin to run on returned taxes, and providing for the stay of tax sales by the court of common pleas.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 700 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 700, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by transferring certain duties heretofore imposed under this act on the Department of Public Instruction to the State Board of Cosmetology.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 701 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 701, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants

and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Cosmetology as a departmental administrative board in the Department of Public Instruction, and prescribing its powers and duties.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL NO. 702 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 702, entitled:

An Act providing for powers responsibilities duties and limitations of the Governor Adjutant General's Department of Military Affairs Pennsylvania State Armory Board Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth for the definition organization powers and limitation of the unorganized militia Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL NO. 735 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 735, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as here in defined: providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL NO. 736 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 736, entitled:

An Act to amend the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing that application for a liquor license by the holder of a malt beverage license for premises already licensed shall not be deemed application for a new license; further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### SENATE BILL NO. 671 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 671, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 671, entitled:

An Act to amend section one hundred two clause (a) of section three hundred six, clauses (b) and (d) of section three hundred seven, clauses (a) and (b) of section three hundred eight clause (a) of section three hundred fourteen, clause (a) of section five hundred one, and sections six hundred one, seven hundred one and seven hundred three of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution districts taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax scales of all estates in property and of mortgages and liens on such property and the proceedings therefor; creating a Tax Claim Bureau in each county,

except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by authorizing counties to elect to become subject to said act; providing for the transfer of tax claims to the Tax Claim Bureau and for the determination of the validity of tax claims; changing dates for the return of property on which taxes are delinquent for making up claims, for notice to delinquent taxpayers, for the period of redemption and for tax sales; providing when interest shall begin to run on returned taxes, and providing for the stay of tax sales by the court of common pleas.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, lines 1 and 2 of the Title, by striking out after the word "two" in line 1 and before the word "of" in line 2, the following: "clause (a) of section three hundred six clauses (b) and (d)" and inserting in lieu thereof, the following: "clause (B)"; Amend the Title, page 1, lines 2 and 3 of the Title, by striking out after the word "seven" in line 2 and before the right-faced parenthesis in line 3, the following: "clauses (a) and" and inserting in lieu thereof, the following: "clause"; Amend the Title, page 1, line 4 of the Title, by striking out after the word "fourteen," the following: "clause (a) of section five hundred one"; Amend the Title, page 3, lines 7 to 11, by striking out after the word "claims" in line 7, and before the word "and" in line 11, the following: "changing dates for the return of property on which taxes are delinquent for making up claims for notice to delinquent taxpayers for the period of redemption and for tax sales providing when interest shall begin to run on returned taxes"; Amend Section 1, page 3, lines 1 and 2, by striking out after the word "two" in line 1, and before the word "of" in line 2, the following: "clause (a) of section three hundred six clauses (b) and (d)" and inserting in lieu thereof, the following: "clause (B)"; Amend Section 1, page 3, lines 2 and 3, by striking out after the word "seven" in line 2 and before the right-faced parenthesis in line 3, the following: "clauses (a) and" and inserting in lieu thereof, the following: "clause"; Amend Section 1, page 3, line 4, by striking out after the word "fourteen" and before the word "and," the following: "clause (a) of section five hundred one"; Amend Section 1, pages 8 and 9, by striking out all of Section 306; Amend Section 1, page 10, by striking out lines 6 to 17, inclusive; Amend Section 1, pages 10 and 11, by striking out lines 19 and 20 on page 10 and lines 1 to 16, inclusive on page 11; Amend Section 1, pages 12 and 13, by striking out lines 15 to 19, inclusive, on page 12 and lines 1 to 12, inclusive, on page 13; Amend Section 1, page 13, line 13, by striking out the right-faced bracket after the word "on" and before the word "the"; Amend Section 1, page 13, line 14, by striking out after the word "July" and before the word "of", the following: "[ August fifteenth."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 671

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 671.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade,	Tarr,
Barrett.	Haluska,	Neff,	Taylor,
Berger.	Hare.	Pechan,	Toole,
Blass.	Holland.	Peelor,	Wade,
Chapman.	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent.	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro.	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan.	Mahany,	Stiefel,	Wood, T. N.,
Farrell.	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 700 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 700, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 700, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by transferring certain duties heretofore imposed under this act on the Department of Public Instruction to the State Board of Cosmetology.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 6, page 8, line 6, by inserting a right-faced bracket after the word "the" and before the word "department"; Amend Section 6, page 8, line 7, by inserting after the part-word "partment" and before the word "with," the following: "[ Board."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 700

Mr. WALKER. Mr. President, I move that the Senate

do concur in the amendments made by the House to Senate Bill No. 700.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 701 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 701, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 701, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Cosmetology as a departmental administrative board in the Department of Public Instruction, and prescribing its powers and duties.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 6, line 11, by inserting after the word "of" and before the word "five," the following: "The Superintendent of Public Instruction and"; Amend Section 2, page 7, lines 6 and 7, by striking out after the

word "receive" in line 6 and before the word "per" in line 7, the following: "twenty-five dollars (\$25)" and inserting in lieu thereof, the following: "fifteen dollars (\$15)."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 701

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 701.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 702 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 702, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 702, entitled:

An Act providing for powers, responsibilities, duties and limitations of the Governor, Adjutant General, Department of Military Affairs, Pennsylvania State Armory Board, Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth; for the definition, organization, powers and limitations of the unorganized militia, Pennsylvania National Guard, Pennsylvania Guard, Naval Militia, and for coordination with the government of United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of United States apportioned the Commonwealth.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Article I, page 2, by inserting after line 13, the following: "Section 104 Equality of treatment and opportunity without regard to race creed color or national origin it is hereby declared to be the policy of the Com-

monwealth of Pennsylvania that there shall be equality of treatment and opportunity for all persons in the Pennsylvania National Guard the Pennsylvania Guard the Naval Militia Pennsylvania Naval Militia and the unorganized Militia without regard to race creed color or national origin such policy shall be put into effect giving due regard to the powers of the Federal Government which are or may be exercised over all the militia of the Commonwealth and to the time required to effectuate changes without impairing the efficiency or morale of the militia;" Amend Article II, page 4, line 1, by inserting after the word "Whenever" and before the word "the," the following: "In case of war or a national emergency exists and the legislature has so authorized;" Amend Article III, page 4, lines 1 and 2, by striking out after the word "Governor" in line 1, and before the word "may" in line 2, the following: "deems it necessary he;" Amend Article II, page 8, line 1, by striking out after the word "invasion" and before the word "the," the following: "disaster peace and war;" Amend Article II, page 9, by striking out lines 4 to 14, inclusive, and inserting in lieu thereof, the following: "Section 209 Rules for Drafting Militia Officers Compensation The Governor be and is hereby authorized to form adopt and prescribe such rules and regulations and appoint such officers and fix their compensation for the purpose of drafting the militia when such process may be required as to him may seem best and most expedient in the premises."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 702

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 702.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Lane,	Rosenfeld,	Walker,
Dent,	Leader,	Ruth,	Watkins,
Diehm,	Kephart,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 735 TAKEN FROM THE TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 735, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 735, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the Bill, page 10, by inserting after line 7, the following:

"Section 3 The provisions of this amendatory act shall not apply to nor affect any application for the grant of a license or the renewal or transfer thereof made or pending before the Pennsylvania Liquor Control Board or any appeal made to the court from action of the Board before the effective date of this act Section 4 The provisions of this act shall become effective immediately upon final enactment."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 735

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 735.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I would like to make a statement in connection with my vote on Senate Bill No. 735 in order that the record may be clear on this matter.

Mr. President, this bill which provides for appeals from the decisions of the Pennsylvania Liquor Control Board to the Superior Court, I am voting for because as a Member of the 1939 Session, which passed the so-called quota law, it was my idea, and I feel it was the recollection and the idea of all the Members at that Session, that that law distinctly excluded clubs and hotels from the quota.

Mr. President, my vote for this bill is cast because I feel that the Superior Court will now clarify the law by giving expression to the intent of the Legislature and removing all clubs from the quota law.

#### SENATE BILL NO. 736 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 736, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 736, entitled:

An Act to amend the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing that application for a liquor license by the holder of a malt beverage license for premises already licensed shall not be deemed application for a new license; further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the Bill, page 12, by inserting after line 10, the following:

"Section 5 The provisions of this amendatory act shall not apply to nor affect any application for the grant of a license or the renewal or transfer thereof made or pending before the Pennsylvania Liquor Control Board or any ap-

peal made to the court from action of the board before the effective date of this act

Section 6 The provisions of this act shall become effective immediately upon final enactment."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 736

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 736.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 105.

Mr. KEPHART. Mr. President, I submit the report of the Committee of Conference on Senate Bill No. 105, entitled:

An Act to further amend sections two hundred five and two hundred nine and to amend section four hundred forty-two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and the several administrative departments, boards, commissions, and officers fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by changing and fixing the salaries of certain officers of the Commonwealth.

The PRESIDENT. The report will lie over for printing under the rules.

## SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO INVESTIGATE, STUDY AND CONSIDER THE MANNER IN WHICH ADMINISTRATIVE AGENCIES HAVE USED THE LEGISLATIVE AND RULE MAKING POWER GIVEN TO THEM BY THE LEGISLATURE

Mr. KEPHART. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART, offered the following resolution which was twice read as follows:

In the Senate, April 28, 1949.

Whereas, Administrative agencies have been given considerable legislative, rule-and-regulation-making power in order to carry out, enforce and supervise the laws of the Commonwealth administered by them; and

Whereas, In the process of exercising such power, many administrative agencies have used the legislative authority given them in a manner not intended by the legislative with resultant injustice and injury to parties affected by and interested in the particular activity regulated; now therefore be it

Resolved: That the Senate hereby directs the Joint State Government Commission to investigate, study and consider the manner in which administrative agencies have used and are using the legislative and rule-making power delegated to them by the legislature for the purpose of carrying out the laws of this Commonwealth with particular emphasis on the abuse of such power and whether affected parties in interest are being deprived of their rights; and be it further

Resolved, That the Commission shall report its findings and recommendations to the next regular session of the General Assembly together with such legislation it may propose to carry out such recommendations.

## RULE 39 SUSPENDED

Mr. KEPHART. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

Mr. STIEFEL. Mr. President, I desire to be recorded as voting "no."

And the question recurring,

Will the Senate agree to the resolution?

(A voice vote having been taken the question was determined in the affirmative.)

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 871

Mr. SNOWDEN. Mr. President, I submit the report of the Committee of Conference on House Bill No. 871, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," providing for additional examinations for school bus operators; and further regulating safety requirements for school buses and the meeting or overtaking of school buses while taking on or discharging school children.

The PRESIDENT. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL No. 367

Mr. LLOYD H. WOOD. Mr. President, I submit the report of the Committee of Conference on Senate Bill No. 367, entitled:

An Act to further amend sections four three hundred one and five hundred one of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2896) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for modification of the manner in which employer contribution rates are determined

The PRESIDENT. The report will lie over for printing under the rules.

BILL ON THIRD READING POSTPONED  
CALLED UP

Mr. WALKER. Mr. President, I move that the Senate do now resume the consideration of House Bill No. 898, on third reading postponed, entitled:

An Act to further amend subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorney authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by exempting television exhibitions from provisions of the act requiring special permits.

Mr. HARE. Mr. President, I second the motion. The motion was agreed to.

BILL ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of House Bill No. 898, as follows:

An Act to further amend subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by exempting television exhibitions from provisions of the act requiring special permits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 332) is hereby further amended to read as follows

#### Section 602 Unlawful Acts

\* \* \* \* \*

(14) It shall be unlawful for any licensee except club licensees to permit in any licensed premises or in any place operated in connection therewith dancing theatricals or floor shows of any sort or moving picture exhibitions other than television or such as are exhibited through machines operated by patrons by the deposit of coins which project pictures on a screen not exceeding in size twenty-four by thirty inches and which forms part of the machine unless the licensee shall first have obtained from the board a special permit to provide such entertainment or for any licensee under any circumstances to permit in any licensed premises any lewd immoral or improper entertainment regardless of whether a permit to provide entertainment has been obtained or not The board shall have power to provide for the issue of such special permits and to collect a fee for such permits equal to one-fifth of the annual license fee but not less than twenty-five dollars (\$25) All such fees shall be paid into the State Stores Fund No such permit shall be issued in any municipality which by ordinance prohibits amusements in licensed places Any violation of this clause shall in addition to the penalty herein provided subject the licensee to suspension or revocation of his permit and his liquor license

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	McPherson, Jr.,	Tallman,	Yosko,
Frazier,			

#### NAYS—1

Mallery.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

#### SENATE CONCURRENT RESOLUTION REPORTED FROM COMMITTEE

Mr. FRAZIER from the Committee on State Government to which was referred resolution offered by Messrs. FRAZIER and MEADE, on March 16, 1949, reported the same without amendment as follows:

#### REQUESTING THE PLACING OF STATUE OF THOMAS FITZSIMMONS IN STATUE HALL, WASHINGTON, D. C.

In the Senate, March 16, 1949.

Whereas, Thomas Fitzsimmons, the American patriot, the father of American protective tariff and the statesman chiefly responsible for the financial stability of the United States during its formative years of its existence; and

Whereas, Thomas Fitzsimmons was a moving figure in every constructive act of this country prior to, during and after the American Revolution; and

Whereas, the Commonwealth of Pennsylvania through the General Assembly thereof deems that the services of Thomas Fitzsimmons to our State and the United States were of such outstanding character as to make it desirable that he be commemorated for distinguished civic service by placing a statue of him either in bronze or marble in Statue Hall at Washington, or in such other location as may be determined by the Joint Committee on the Library of the United States Congress with the advice of the United States Commission of Fine Arts; therefore be it

Resolved, (if the House of Representatives concur), That the Architect of the National Capital be requested to place a Statue of Thomas Fitzsimmons in Statue Hall at Washington or in such other location as may be determined by the Joint Committee on the Library of the United States Congress with the advice of the United States Commission of Fine Arts.

#### RULE 39 SUSPENDED

Mr. FRAZIER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions reported from committee to lie over for one day, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

#### SENATE CONCURRENT RESOLUTION TAKEN FROM TABLE

Mr. STIEFEL. Mr. President, I call from the table Senate Concurrent Resolution, Serial No. 105, which was reported from the Committee on State Government, as committed.

#### ERECTION OF A STATE HOUSE IN THE CITY OF PHILADELPHIA

The Clerk read the resolution as follows:

In the Senate, January 25, 1949.

Whereas, The dispersal and inconvenient location of the offices of the various departments, commissions, bureaus, and boards of our State Government in the City of Philadelphia is not conducive to efficiency and economy and above all not commensurate with the dignity and greatness of the Commonwealth of Pennsylvania and,

Whereas, The rentals paid by the Commonwealth for its Philadelphia offices for the last two decades would have amply covered the costs of an imposing state-owned building erected structurally and artistically according to the highest and most modern standards of office-building architecture, and

Whereas, The acoustics and accommodations of the rooms occupied by the State Courts in the City Hall of Philadelphia are deficient and functionally inadequate, thus requiring changes that cannot be longer delayed, and

Whereas, There is thus a definite need now extant in Philadelphia for the erection therein of a State Court House and Office Building, and

Whereas, recently the City of Philadelphia and the Pennsylvania Railroad Company have agreed that the so called "Chinese Wall," running from Broad Street Station to 30th Street Station parallel to Market Street be removed and a ninety-feet wide boulevard laid out upon the tract of land now covered by said "Chinese Wall" and that as a part of this development the future width of Fifteenth Street between the proposed boulevard and Market Street is to be fixed at sixty-seven feet and that of Sixteenth Street at seventy-feet, and

Whereas, The execution of the aforesaid agreement between the City of Philadelphia and the Pennsylvania Railroad Company will place at the disposal of the City of Philadelphia an available site within less than one hundred yards from City Hall having a length of three-hundred sixty-feet and a depth of two-hundred eight feet and thus admirably suited for the erection thereon of a State Court House and Office Building.

Now be it therefore resolved (If the House of Representatives concur) that:

(a) The Joint State Government Commission appoint a committee to make a study of the locational and dispersal inconveniences of the several State Offices in Philadelphia and the effect thereof upon the efficiency of the services rendered.

(b) That the City of Philadelphia be urged by the General Assembly of Pennsylvania to place at the disposal of the Commonwealth of Pennsylvania the aforesaid site for the erection thereon of a State Court House and Office Building.

(c) That His Excellency the Governor of Pennsylvania be urged to order a study by his subordinates of the suitability of the aforesaid site for the erection thereon of a State Court House and Office Building, as well as the advisability of such a project.

(d) That the General Assembly of Pennsylvania enact such legislation that may be necessary for the initiation of the project.

(e) That the Secretary of the Senate forwards copies of this resolution to His Excellency the Governor of Pennsylvania, to the Mayor of Philadelphia, and to the President of the Pennsylvania Railroad.

On the question,

Will the Senate agree to the resolution?

The resolution was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

#### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows.

Senate Bill No. 580, entitled:

An Act to further amend sections four and five of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases.

Senate Bill No. 583, entitled:

An Act to amend clause XXVIII of section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (Pamphlet Laws 103), entitled "An act concerning townships of the second class; and amending, revising consolidating, and changing the law relating thereto," by increasing the amount which township supervisors may expend to care for abandoned or neglected cemeteries, and providing for the payment of such care by the Commonwealth.

Senate Bill No. 598, entitled:

An Act to amend subsection B of section one thousand five hundred and six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by adding thereto the provision that certain corporations created by merger or consolidation under the laws of any state of the United States other than Pennsylvania may act in a fiduciary capacity in this Commonwealth as successors in such capacity to any constituent corporation and to validate such actions heretofore performed by such corporations

## Senate Bill No. 601, entitled:

An Act to further amend section eleven of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for retroactive service allowance of certain employees.

## Senate Bill No. 633, entitled:

An Act to amend section eight of the act approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095) entitled, "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals, and imposing penalties, and making appropriations," by requiring an operator to file a new bond with the Department of Mines at the end of an operational year, covering such acres as he estimates will be affected during the coming year which are not included in a former bond, and extending any unencumbered portion of a bond already filed with the Department so as to include and cover new acres.

## Senate Bill No. 634, entitled:

An Act to amend rule forty of article twelve of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by eliminating the need for the presence of a footman and headman at certain slopes and shafts.

## Senate Bill No. 637, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same.

## Senate Bill No. 638, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-

one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same.

## Senate Bill No. 650, entitled:

An Act to add section thirty point one to the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulating, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by regulating the computation of certificate and loss reserves with respect to noncancellable health and accident benefits.

## Senate Bill No. 651, entitled:

An Act to amend section five of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1643), entitled "An act relating to certain existing beneficial societies; conferring certain rights, powers, and duties upon them, their officers and members; authorizing the payment of benefits by them in the event of sickness, accident, disability or death; regulating such societies and corporations; and limiting the amount for which they may issue membership certificates or policies; providing for reserves; imposing penalties; and repealing certain existing laws and parts of law," by changing the reserve requirements for such societies with respect to certain non-cancellable health and accident insurance.

## Senate Bill No. 756, entitled:

An Act to further amend section eight hundred six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating certain exceptions to the prohibition against possessing in or on vehicles and conveyances, loaded firearms and loose ammunition.

## Senate Bill No. 767, entitled:

An Act to further amend rule twenty-five of article twenty-five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by permitting the use

of certain instruments and devices for tamping purposes under certain conditions.

**Senate Bill No. 782, entitled:**

An Act to amend section seven hundred fifteen and to add section seven hundred twenty-one point one to the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, register of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by further regulating liquidation of institutions as therein defined.

**Senate Bill No. 810, entitled:**

An Act to further amend section six hundred nineteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making municipalities jointly liable for negligence of their employes driving animal-drawn vehicles.

**Senate Bill No. 830, entitled:**

An Act to further amend clause two of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising and consolidating and changing the law relating thereto" by further providing for assessment of property for maintenance of lights on roads and highways

**Senate Bill No. 851, entitled:**

An Act to add clause XLII to section seven hundred two of the act approved the first day of May, one thou-

sand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the supervisors to appropriate money towards nonprofit ambulance services.

**Senate Bill No. 866, entitled:**

An Act to further amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses.

**Senate Bill No. 867, entitled:**

An Act to further amend clause thirty-four of section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses.

**Senate Bill No. 868, entitled:**

An Act to further amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184), entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day," by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses.

**Senate Bill No. 875, entitled:**

An Act to add section one thousand three hundred ten point one to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the conversion of certain personal property taken without escheat, and conferring jurisdiction on the Court of Common Pleas of Dauphin County.

## Senate Bill No. 879, entitled:

An Act to amend the first paragraph and clauses (1) and (3) of subsection (b) of section two hundred one, of the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer! and prescribing penalties," by providing for the erection of buildings for the administration of said act on land in or in the immediate vicinity of the City of Harrisburg presently owned by the Commonwealth, and the conveyance or leasing of such land to persons, firms or corporations for such purpose, and for the leasing of such buildings to the Commonwealth, the same to become the property of the Commonwealth upon termination of such lease.

## Senate Bill No. 883, entitled:

An Act to amend the title and act, approved the sixteenth day of July, one thousand nine hundred forty-one (P. L. 386), entitled "An act providing for the establishment, construction, operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains through, bordering or accessible to the counties of Monroe, Northampton, Carbon, Luzerne, Lackawanna, Wayne and Pike, to be known as the 'Rim Parkway'; providing for the creation of the Pennsylvania Parkway Commission, and conferring powers, and imposing duties on said commission; authorizing the issuance of parkway revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such parkway; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the parkway; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such parkway shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission; conferring power and imposing duties on the Department of Highways; authorizing the issuance of parkway revenue refunding bonds, and making an appropriation," by changing the name and extending the length of the parkway; establishing the parkway as a memorial; providing that the costs of making surveys estimates of costs and plans for construction shall be paid from the proceeds of bonds issued by the commission; and repealing the appropriation previously made.

## Senate Bill No. 885, entitled:

An Act for the government, management and control of county jails and prisons in counties of sixth, seventh, and eighth classes.

## Senate Bill No. 890, entitled:

A Joint Resolution proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto Section twenty-two.

## Senate Bill No. 893, entitled:

An Act to amend subsection (a) of section one thousand five hundred eighteen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending revising, consolidating and changing the laws relating thereto," by changing provisions for text books on fire dangers and prevention of fire waste.

## Senate Bill No. 899, entitled:

An Act to amend subsection (b) of section one thousand one hundred three of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fine, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing cities of the third class to remove and impound vehicles.

## Senate Bill No. 902, entitled:

An Act to amend section two of the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein: providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employees and imposing penalties," by further providing for the collection of delinquent taxes in certain cases.

## Senate Bill No. 905, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and

to the Supreme Court and Superior Court," by exempting from taxation the volume of business derived from certain sales of trade-ins.

Senate Bill No. 913, entitled:

An Act giving to cities, boroughs and townships, certain temporary powers, regarding rent control.

Senate Bill No. 929, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by changing requirements for accident reports.

Senate Bill No. 930, entitled:

An Act to reenact and amend the title, and to reenact the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 553), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles, and to make uniform the law with reference thereto; requiring operators and owners of automobiles, under certain circumstances, to furnish proof of financial responsibility, as herein defined; providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer, and prothonotaries; and prescribing penalties."

Senate Bill No. 936, entitled:

An Act to amend sections, two, three, four, five, six, seven and eight of the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 368), entitled "An act to protect consumers in the purchases for fuel purposes of the hard coal known as anthracite, providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite, from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents, and providing penalties," by defining substandard anthracite; requiring producers, dealers and persons engaged in the sale of anthracite to issue certain statements and keep certain records; and changing penalties.

Senate Bill No. 944, entitled:

An Act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines, and the expenses incident to their office.

Senate Bill No. 945, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the examination and clinical treatment of pupils by psychologists and psychiatrists.

Senate Bill No. 951, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal.

Senate Bill No. 957, entitled:

An Act to amend section nine hundred fifteen of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for city expenditures for city business.

Senate Bill No. 960, entitled:

An Act authorizing the Department of Forests and Waters to accept on behalf of the Commonwealth certain real estate situate in Elk County subject to the reservations in the chain of title.

Senate Bill No. 967, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor, and the Board of Trustees of Mansfield State Teachers College, to acquire a tract of land for the use of Mansfield State Teachers College; and making an appropriation therefor.

Senate Bill No. 975, entitled:

An Act to facilitate vehicular traffic in the eastern section of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near the City of Scranton in Lackawanna County, to connect with the Pennsylvania Turnpike at such point near Harrisburg, as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system; and conferring powers and imposing duties on the Pennsylvania Turnpike Commission: authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes and relocations and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds.

Senate Bill No. 976, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Indiana State Teachers College, to acquire a tract of land for the use of the Indiana State Teachers College; and making an appropriation therefor.

## Senate Bill No. 977, entitled:

An Act to authorize any administrative department, board, commission, agency or instrumentality of the Commonwealth and in its behalf, with the approval of the Governor to sell, assign or transfer any lands, easements or rights in lands together with improvements and any contracts or agreements to any Authority created by the General Assembly of the Commonwealth; to enter into contracts with such Authority and repealing certain Acts of Assembly.

## Senate Bill No. 980, entitled:

An Act to amend sections six, eight and nine of the act approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095), entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals and imposing penalties and making appropriations," by increasing the amount of the bond to be furnished by an operator and clarifying the provisions requiring a bond and further regulating the furnishing of bonds.

## Senate Bill No. 985, entitled:

An Act to authorize political subdivisions to acquire by purchase, condemnation or in any other manner, pillars in anthracite and bituminous coal mines or other property necessary to the support of the surface above such mines or structures thereon, in order to prevent subsidence thereof.

## Senate Bill No. 986, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of West Chester State Teachers College, to acquire two tracts of land for the use of West Chester State Teachers College; and making an appropriation therefor.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

## BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

## Senate Bill No. 446, entitled:

An Act to amend sections one two three four and seven and to repeal section five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-seven (P. L. 1145), entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" prohibiting the levy and collection of certain taxes providing for an over-all limit on revenues to be collected annually and for the use of excess moneys collected requiring reduction of tax rates in certain cases and affording remedies to compel such reduction imposing limits on rates of certain taxes regulating appeals from tax ordinances and resolutions providing for joint agreements for the collection of taxes regulating penalties and interest on taxes.

## Senate Bill No. 488, entitled:

An Act to further amend sections fifteen and twenty-one of the act, approved the sixteenth day of May, one thousand nine hundred and twenty three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefore; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties lien; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by clarifying certain provisions; eliminating provisions for signatures of county controllers and facsimile signatures; and requiring the payment to the prothonotary of additional fees under certain circumstances.

## Senate Bill No. 502, entitled:

An Act to amend sections one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the term of office and the election of district superintendents and assistant district superintendents in all second and third class school districts of the Commonwealth.

## Senate Bill No. 524, entitled:

An Act to further amend section one thousand five hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to

establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by setting forth the qualifications of school nurses.

Senate Bill No. 529, entitled:

An Act to further amend section three hundred nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by authorizing the county commissioners, during the last fifteen days of any fiscal year, to transfer and reappropriate any institution district funds to the General County Fund.

Senate Bill No. 532, entitled:

An Act to further amend the act approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by providing for the establishment of anthracite mine inspection districts, the assignment of inspectors and their duties, and operators' reports.

Senate Bill No. 535, entitled:

An Act to amend Rule fifty-four of Article twelve of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176) entitled, "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by providing for the posting of said act in pamphlet form at or near a mine or colliery.

Senate Bill No. 563, entitled:

An Act to further amend sections one thousand eight hundred four and one thousand eight hundred nine of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further regulating the adoption and alteration of budgets.

Senate Bill No. 564, entitled:

An Act to further amend sections three hundred sixty-one and three hundred seventy of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by imposing certain restrictions regarding preparation of proposed budgets.

Senate Bill No. 621, entitled:

An Act to amend the title and the act, approved the eighth day of July, one thousand nine hundred forty-seven (P. L. 1433), entitled "An act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools; providing for contractual liability; conferring powers and imposing duties on the State Council of Education; and prescribing penalties," by transferring the administration of this act to the State Board of Private Correspondence Schools; changing definitions, bringing eleemosynary institutions within the provisions of the act, eliminating the advisory committee; regulating the advertising and soliciting for students by private correspondence schools; requiring the registration of agents of such schools where their home office is outside of this Commonwealth and providing for a separate non-transferable license for each school.

Senate Bill No. 622, entitled:

An Act to amend the act, approved the eighth day of July, one thousand nine hundred forty-seven (P. L. 1428), entitled "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof; conferring powers and imposing duties upon the State Board of Private Business Schools; and prescribing penalties," by bringing certain non-profit and all eleemosynary institutions within the provisions of the act; regulating the advertising and soliciting for students; including teachers within the definition of the term "agent"; requiring agreement to file surety bond when requested; restricting schools and agents to those subjects specified in their applications and providing for a separate non-transferable license for each school.

Senate Bill No. 623, entitled:

An Act to amend the title and the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 951), entitled "An act defining and providing for the licensing and regulation of private schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties," by transferring the administrative duties to the State Board of Private Academic Schools; changing definitions; bringing eleemosynary institutions within the provisions of this act; eliminating the advisory committee; regulating the advertising and soliciting for students and restricting agents in connection therewith; requiring agreement of schools to file surety bond when requested; and providing for a separate non-transferable license for each school.

Senate Bill No. 624, entitled:

An Act to further amend section two hundred two, and to add sections four hundred fifty-five, four hundred fifty-six, four hundred fifty-seven and four hundred fifty-eight to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be deter-

mined," by adding State Boards of Private Academic, Private Business, Private Trade and Private Correspondence Schools, to the Department of Public Instruction as administrative departmental boards, and to provide for the appointment of the members to said boards.

Senate Bill No. 625, entitled:

An Act to amend the title and sections one, two, three, four, six, seven and ten of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 401), entitled "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board for Vocational Education; and prescribing penalties," by transferring the administration of this act to the State Board of Private Trade Schools; bringing eleemosynary institutions within the provisions of the act; eliminating the advisory committee; regulating the advertising and soliciting for students by private trade schools; changing provisions as to licenses and the holders thereof, and increasing the fees for such licenses, and providing for a separate non-transferable license for each school.

Senate Bill No. 629, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employee" and "Original member" to include persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania.

Senate Bill No. 645, entitled:

An Act requiring companies and organizations subject to examination by the Insurance Commissioner to maintain uniform classifications of accounts and records; make uniform reports; and prescribing penalties.

Senate Bill No. 716, entitled:

An Act creating a Highway Planning Commission to develop a long range highway program for the Commonwealth and to make report thereon; defining the powers and duties of the commission; and making an appropriation out of the Motor License Fund.

Senate Bill No. 725, entitled:

An act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing

the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossing; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots; and eliminating expired provisions.

Senate Bill No. 729, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duties of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property

to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation by towing of wrecked or disabled motor vehicles; and eliminating expired provisions.

Senate Bill No. 795, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Forests and Waters, to acquire two tracts of land in Somerset and Bedford Counties, to be used as a State park under the jurisdiction of the Department of Forests and Waters, and devoted to hunting, fishing and recreational purposes; and making an appropriation.

Senate Bill No. 860, entitled:

An Act to amend section three of the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1199), entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employees; fixing the salaries of members of the board, assessors and assistant assessors, and providing for the payment of salaries and expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making assessments, of the revision and notice of assessments and of appeals therefrom; prescribing the records of assessments; and repealing existing laws," by further prescribing the terms of the officers of the board of revision of taxes.

Senate Bill No. 877, entitled:

An Act establishing the Pennsylvania State Firemens Training School, providing for its operation and maintenance by the Department of Public Instruction, authorizing the acquisition of a site, either by gift or purchase by the Commonwealth, or by The General State Authority or the use of land now owned by the Commonwealth; providing for the erection or construction and the furnishing and equipping of buildings and structures by The General State Authority and the leasing thereof by the Commonwealth; and conferring powers and imposing duties upon the Department of Public Instruction and the Public Service Institute Board.

Senate Bill No. 894, entitled:

An Act to amend section seven hundred seventy-three of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by permitting tapping of water lines of school districts under certain circumstances.

Senate Bill No. 939, entitled:

An Act making bonds of school districts valid and binding obligations of such districts despite failure to advertise election in a newspaper of general circulation.

Senate Bill No. 956, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further providing for the uniformity control and erection of traffic signs, signals and markings.

Senate Bill No. 959, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by prohibiting soliciting or accepting gifts or donations from teachers or supervisors by school directors; authorizing withholding of State appropriations; clarifying the term "professional employe"; changing provisions for minimum salaries of part-time teachers, supervisors and principals and State reimbursement thereof; and providing for part-time and evening vocational classes, schools, departments and programs, attendance thereat in other districts, and reimbursement therefor between school districts.

Senate Bill No. 984, entitled:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft and prescribing penalties.

Senate Bill No. 987, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Cheyney Training School for teachers to acquire a tract of land in Delaware County, for the use of Cheyney Training School for teachers; and making an appropriation therefor.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel F. Strickler) in the presence of the Senate signed the same.

COMMERCIAL CONTEST TEAM OF NORTH UNION TOWNSHIP HIGH SCHOOL, UNIONTOWN, PENNSYLVANIA PRESENTED TO SENATE

Mr. TARR. Mr. President, at this time I would like to call to the attention of the Members of the Senate the

Commercial Contest Team of the North Union Township High School, Uniontown, Pennsylvania, of which I have the honor and have had the opportunity to be the teacher in the last so many years that I do not wish to even make that public, but they are here this afternoon on their way to the Blomsgburg State Teachers College to participate in the State Commercial Contests.

Mr. President, it is with a great deal of pleasure that I would like to present them to the Senate along with the Assistant Principal of the High School, and his charming wife, Mr. and Mrs. Harry E Davidson. I would like to have them stand and take a bow.

The PRESIDENT. We are very glad to have you here, and hope you enjoy the closing hours of the Session:

MEMORIAL SERVICES

In the Senate, April 28, 1949

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

This being the time fixed by resolution for holding memorial services, the Senate will be in order.

IN MEMORIAM—JAMES J. DAVIS

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Mr. Walker.

Mr. WALKER. Mr. President, I offer the following resolution and move its immediate adoption.

Mr. DOEHLA. Mr. President, I second the motion.

The resolution was read as follows:

In the Senate, April 28, 1949.

Monuments to James J Davis, need be few, for he established so many during his lifetime, that others are superfluous. His life itself is a monument to the American way. An immigrant boy, he worked hard, studied at night, perservered and attained success, fame and glory.

His family migrated to Pittsburgh from Tredegar, South Wales, in 1861 when he was eight years old. They later moved to Sharon, Pennsylvania, where he attended its public schools and Sharon Business College. At the age of twelve he began working and learning his trade as a puddler in the iron and steel works at Sharon. He later worked in the iron and steel industry at Elwood, Indiana. He joined the Amalgamated Association of Iron, Steel and Tin Workers of America, was elected to various offices in that union and remained a member in good standing for the remainder of his life.

He was elected city clerk of Elwood in 1898 and elected Recorder of Madison County, Indiana in 1902. He became the Director General of the Loyal Order of Moose in 1907 and held that office for the remainder of his life. He was the chairman of the Moose War Relief Commission and visited battlefields during World War I in France, Belgian and Italy. He was appointed to President Harding's Cabinet, as Secretary of Labor, and reappointed by President Coolidge and Hoover. He served a total of ten years in that high office. He was elected to the Senate of the United States in 1930 and reelected in 1932 and 1938.

In his public life, Senator Davis was a man of tremendous stature. Never afraid, he clung to his convictions and acted always in a manner true to himself. Rated and feared by the enemies of the American way of life, he was slandered and attacked. But from those who love America and all that it means, he received devotion and loyalty, to the end of his life and beyond.

James J. Davis developed the Loyal Order of Moose, from a small group of idealists into the great organization of philanthropy it is today. He was personally responsible for Mooseheart and Moosehaven. Thousands of young orphans, well educated today, revere his memory, as the man who made that education possible, while thousands

of old people, bless him for providing a real home for them in their closing days.

During his lifetime, Bucknell University, Pennsylvania Military Academy, the University of Pittsburgh, Drake University, Muhlenberg College and St. Bonaventura's Seminary and College bestowed honorary degrees upon him.

His way was made easier and his success, in large measure secured by Jean Rodenbaugh, whom he married in 1914. They reared a family of five children.

Senator Davis was a man of many activities. He was a member of the Masons, Mystic Shrine, Gretto, Odd Fellows, Knights of Pythias, Elks, Eagles, Foresters, Protected Home Circle, Knights of the Golden Eagle, Woodben of the World, Maccabees; and an honorary member of Delta Sigma Phi, Veterans of Foreign Wars and Spanish War Veterans.

On Nocomber 22, 1947, James J Davis, terminated his stay upon earth, but his deeds, his work, and service to mankind shall never terminate while life exists; therefore, be it

Resolved, That James J. Davis take his place among the truly great men of America, and that every Pennsylvanian swell with pride because he called Pennsylvania home; and be it further

Resolved, That a copy of this resolution be sent to his family.

On the question,  
Will the Senate agree to the resolution?

YEAS—50

Joseph M. Barr	Donald P. McPherson, Jr.
Thomas E. Barrett	John R. Meade
James S. Berger	Samuel G. Neff
C. Arthur Blass	Albert R. Pechan
Leroy E. Chapman	Murray Peelor
Montgomery F. Crowe	Guy B. Robinson
John H. Dent	Maxwell S. Rosenfeld
G. Graybill Diehm	Frank W. Ruth
Anthony J. DiSilvestro	George B. Scarlett
Theodore H. Doehla	John G. Snowden
Fraser P. Donlan	George B. Stevenson
Louis H. Farrell	Israel Stiefel
Bertram G. Frazier	O. J. Tallman
James A. Geltz	Burton E. Tarr
John J. Haluska	M. Harvey Tayior
Fred P. Hare, Jr.	Patrick J. Toole
Elmer J. Holland	Geo. N. Wade
Frederick L. Homsher	Paul L. Wagner
A. Evans Kephart	John M. Walker
W. J. Lane	G. Robert Watkins
Guy A. Leader	Edward B. Watson
A. H. Letzler	Samuel B. Wolfe
John W. Lord, Jr.	Lloyd H. Wood
Rowland B. Mahany	T. Newell Wood
Charles R. Mallery	Joseph J. Yosko

NAYS—0

All the Senators present, having voted "aye" the question was unanimously determined in the affirmative.

IN MEMORIUM—W. CRAWFORD MURDOCH

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Mr. Walker.

Mr. WALKER. Mr. President, I offer the following resolution and move its immediate adoption.

Mr. DOEHLA. Mr. President, I second the motion.

The resolution was read as follows:

In the Senate, April 28, 1949.

On November 12, 1948, W. Crawford Murdoch, a man

well known to the Senate, passed away in a Harrisburg Hospital.

Mr. Murdoch was born in Pittsburgh on November 15, 1885. He was educated in the public schools of Pittsburgh and Wilkesburg.

In 1904 he founded the Murdoch Ice Cream Company, and was its manager through many successful years.

He was elected to the House of Representatives in 1914 and reelected in 1916. In 1918 he was elected to the State Senate.

An avid sportsman, he sponsored, promoted and participated in many athletic activities, including the Old Sterling Professional Football Team of Wilkesburg, Pennsylvania. He was a life member and past exalted ruler of Wilkesburg Lodge No. 577 B. P. O. Elks, and was a life member of Wilkesburg Fraternal Order of Eagles.

He married the former Grace Hamilton and they reared one son, W. Crawford Murdoch, Jr.

In recent years, Mr. Murdoch has been working with the Senate, and giving it the benefit of his service and wise and sage counsel; therefore, be it

Resolved, That the Senate extend its sympathy to his widow, his son and his friends; and remind them that in his passing, the Senate, and the people of Pennsylvania, have lost one of their most faithful servants; and be it further

Resolved, That a copy of this resolution be forwarded to his widow and son.

On the question,

Will the Senate agree to the resolution?

#### YEAS—50

Joseph M. Barr  
Thomas E. Barrett  
James S. Berger  
C. Arthur Blass  
Leroy E. Chapman  
Montgomery F. Crowe  
John H. Dent  
G. Graybill Diehm  
Anthony J. DiSilvestro  
Theodore H. Doebla  
Fraser P. Donlan  
Louis H. Farrell  
Bertram G. Frazier  
James A. Geltz  
John J. Haluska  
Fred P. Hare, Jr.  
Elmer J. Holland  
Frederick L. Homsher  
A. Evans Kephart  
W. J. Lane  
Guy A. Leader  
A. H. Letzler  
John W. Lord, Jr.  
Rowland B. Mahany  
Charles R. Mallery

Donald P. McPherson, Jr.  
John R. Meade  
Samuel G. Neff  
Albert R. Pechan  
Murray Peeler  
Guy B. Robinson  
Maxwell S. Rosenfeld  
Frank W. Ruth  
George B. Scarlett  
John G. Snowden  
George B. Stevenson  
Israel Stiefel  
O. J. Tallman  
Burton E. Tarr  
M. Harvey Taylor  
Patrick J. Toole  
Geo. N. Wade  
Paul L. Wagner  
John M. Walker  
G. Robert Watkins  
Edward B. Watson  
Samuel B. Wolfe  
Lloyd H. Wood  
T. Newell Wood  
Joseph J. Yosko

#### NAYS—0

All the Senators present, having voted "aye" the question was unanimously determined in the affirmative.

#### IN MEMORIUM—CHARLES H. EALY

The PRESIDENT. The Chair recognizes the gentleman from Somerset, Mr. Hare.

Mr. HARE. Mr. President, I offer the following resolution and move its immediate adoption.

Mr. MALLERY. Mr. President, I second the motion. The resolution was read as follows:

In the Senate, April 28, 1949.

Occasionally, in the chaotic struggle called life, there

appears, exists for a fleet moment, then is gone, a force or energy, which leaves a mark upon all that it touches. It will strike suddenly, swift and true. It leaves but good in its wake, for it is a force of good, and the world is always better because of it.

This force is sometimes a movement, sometimes a re-awakening of men's souls and sometime a man.

Charles H. Ealy was such a force. His life though quiet was a source of guidance and influence upon his community, his State, and his fellowmen. He did not want high office, nor to be a leader. But because he was a man of quality, a man of ability, a man of honesty and a man of loyalty, his destiny was thrust upon him. Because he was a man of responsibility, he accepted his charge and became a man of destiny.

Senator Ealy was born in Shellsburg, Pennsylvania on January 25, 1884. His father, Doctor Taylor Filmore Ealy, and his mother, Mary Ramsey Ealy, reared him to manhood in Shellsburg, and equipped him with the qualities which made him a leader in his adopted Somerset.

Educated in Bedford Academy and Bucknell University, he studied law at the University of Pittsburgh. He was admitted to the practice of law of the several courts of Somerset County, the courts of Allegheny County, the Superior and Supreme Courts of Pennsylvania, the district courts of the United States and the Supreme Court of the United States.

He practiced law in Somerset and because he had a judicial mind such as one rarely encounters, and in integrity beyond reproach, he quite properly and naturally, rose to the foremost ranks in the legal profession.

He had never been ambitious to enter the Senate, or to remain there, but as a patriotic citizen devoted to the performance of his duty, he yielded each time he was a candidate to the persuasions of those who regarded his presence in the Senate necessary to the general welfare. He was first elected in 1926 and continued to serve in the Senate until 1946. The Senate, recognizing his value, accorded him a singular honor, in electing him President Pro Tempore for four successive years.

Senator Ealy was a man devoted to learning. He spent long hours studying every phase of history, and believed that as medicine employs the history of physical diseases for the avoidance of those evils, statesmen and political leaders should employ history for the avoidance of social and political ills that have destroyed nations. He practiced that belief, and became a source of sound counsel to all in the Senate.

Senator Ealy took his greatest pride in his family, and was a devoted husband and father. He married the former Edna Pritts, and they established a real American home and family, rearing three children.

The societies which he belonged to, reflected his spirit of altruism. He was President of the Somerset County Council Boy Scouts of America, a President of Somerset Chamber of Commerce, a member of the Presbyterian Church and the Somerset Rotary Club.

Last November tenth, unexpectedly and to the shock and sorrow of the entire State, he quit this life; therefore be it

Resolved, That Senator Charles H. Ealy be given a prominent place in the greatest of all halls of fame, the hearts of the grateful people he served; and be it further

Resolved, That a copy of this resolution be sent to his family.

On the question,

Will the Senate agree to the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Somerset, Mr. Hare.

Mr. HARE. Mr. President, words are rather feeble instruments when we attempt to portray in word from the descriptive quality of a man of the stature of Charles H. Ealy, four times President of this Senate. He possessed all the attributes we consider worthwhile in our citizens.

The PRESIDENT. The Chair recognizes the gentleman from Blair, Mr. Mallery.

Mr. MALLERY. Mr. President, because of our long and intimate friendship, and my high regard and esteem for Charles H. Ealy as an honest man, I too, desire to second the Resolution.

And the question recurring,

Will the Senate agree to the resolution?

## YEAS—50

Joseph M. Barr  
Thomas E. Barrett  
James S. Berger  
C. Arthur Blass  
Leroy E. Chapman  
Montgomery F. Crowe  
John H. Dent  
G. Graybill Diehm  
Anthony J. DiSilvestro  
Theodore H. Doehla  
Fraser P. Donlan  
Louis H. Farrell  
Bertram G. Frazier  
James A. Geltz  
John J. Haluska  
Fred P. Hare, Jr.  
Elmer J. Holland  
Frederick L. Homsher  
A. Evans Kephart  
W. J. Lane  
Guy A. Leader  
A. H. Letzler  
John W. Lord, Jr.  
Rowland B. Mahany  
Charles R. Mallery

Donald P. McPherson, Jr.  
John R. Meade  
Samuel G. Neff  
Albert R. Pechan  
Murray Peelor  
Guy B. Robinson  
Maxwell S. Rosenfeld  
Frank W. Ruth  
George B. Scarlett  
John G. Snowden  
George B. Stevenson  
Israel Stiefel  
O. J. Tallman  
Burton E. Tarr  
M. Harvey Taylor  
Patrick J. Toole  
Geo. N. Wade  
Paul L. Wagner  
John M. Walker  
G. Robert Watkins  
Edward B. Watson  
Samuel B. Wolfe  
Lloyd H. Wood  
T. Newell Wood  
Joseph J. Yosko

## NAYS—0

All the Senators present, having voted "aye" the question was unanimously determined in the affirmative.

## IN MEMORIUM—CHARLES E. MILLER

The PRESIDENT. The Chair recognizes the gentleman from Union, Mr. Wolfe.

Mr. WOLFE. Mr. President, I offer the following resolution and move its immediate adoption.

Mr. WAGNER. Mr. President, I second the motion.

The resolution was read as follows:

In the Senate, April 28, 1949.

Senator Charles E. Miller of Mount Carmel died on August 5, 1948.

He was born at Tamaqua, Schuylkill County on October 3, 1894. He graduated from Mount Carmel High School in 1914 and the University of Pennsylvania in 1918; he was a member of Sigma Nu Fraternity. He enlisted in the United States Army in 1917 and served in France as First Lieutenant of 312th Machine Gun Battalion, 79th Division. After the war he was prominently connected with veterans organizations.

He was elected to the Senate from the twenty-seventh district in 1932 and served during the sessions of 1933 and 1935; therefore be it

Resolved, That the Senate pay tribute to its former member and extend its sincere sympathy to the family of Charles E. Miller; and be it further

Resolved, That a copy of this resolution be forwarded to his family.

On the question,

Will the Senate agree to the resolution?

## YEAS—50

Joseph M. Barr  
Thomas E. Barrett  
James S. Berger  
C. Arthur Blass  
Leroy E. Chapman  
Montgomery F. Crowe  
John H. Dent  
G. Graybill Diehm  
Anthony J. DiSilvestro  
Theodore H. Doehla  
Fraser P. Donlan  
Louis H. Farrell  
Bertram G. Frazier  
James A. Geltz  
John J. Haluska  
Fred P. Hare, Jr.  
Elmer J. Holland  
Frederick L. Homsher  
A. Evans Kephart  
W. J. Lane  
Guy A. Leader  
A. H. Letzler  
John W. Lord, Jr.  
Rowland B. Mahany  
Charles R. Mallery

Donald P. McPherson, Jr.  
John R. Meade  
Samuel G. Neff  
Albert R. Pechan  
Murray Peelor  
Guy B. Robinson  
Maxwell S. Rosenfeld  
Frank W. Ruth  
George B. Scarlett  
John G. Snowden  
George B. Stevenson  
Israel Stiefel  
O. J. Tallman  
Burton E. Tarr  
M. Harvey Taylor  
Patrick J. Toole  
Geo. N. Wade  
Paul L. Wagner  
John M. Walker  
G. Robert Watkins  
Edward B. Watson  
Samuel B. Wolfe  
Lloyd H. Wood  
T. Newell Wood  
Joseph J. Yosko

## NAYS—0

All the Senators present, having voted "aye" the question was unanimously determined in the affirmative.

## IN MEMORIUM—WILLIAM C. McCONNELL

The PRESIDENT. The Chair recognizes the gentleman from Union, Mr. Wolfe.

Mr. WOLFE. Mr. President, I offer the following resolution and move its immediate adoption.

Mr. WAGNER. Mr. President, I second the motion. The resolution was read as follows:

In the Senate, April 28, 1949.

On March 16, 1949, Senator William C. McConnell died at his winter home in Miami Beach, Florida.

He was born at Halifax, Dauphin County on April 4, 1860. He was educated at Franklin and Marshall College and Cornell University. He entered the banking field upon graduation, and the remainder of his life was identified with that profession in his home town of Shamokin, Pennsylvania.

He was also interested in and assumed responsible positions in several water companies in that district.

Always interested in political affairs, he served as delegate to numerous State and National Republican conventions and served as a presidential elector in the campaign of 1904.

He was a member of the staff of Governor Daniel H. Hastings, with the rank of Lieutenant Colonel. He was chairman of the commission for the selection of a site and erection of a State hospital for injured persons of the Trevorton, Shamokin and Mount Carmel coal fields.

He was a member of the Union League Club of Philadelphia from 1892 until his death.

Senator McConnell was first elected to the Senate in 1909. He was elected to fill a vacancy in 1914, and was reelected in 1916 and 1920.

His tenure in the Senate was marked by his industry and devotion to the public good. While the Senate was in session his own interests were forgotten and he became a representative of his constituents, reflecting conscientiously and accurately their will; therefore be it

Resolved, That the Senate herewith record for all to see, its appreciation of this man, and that the members

of the Senate extend their individual and personal sympathy to his family and friends, and be it further

Resolved, That a copy of this resolution be sent to his family.

On the question,

Will the Senate agree to the resolution?

YEAS—50

Joseph M. Barr  
Thomas E. Barrett  
James S. Berger  
C. Arthur Blass  
Leroy E. Chapman  
Montgomery F. Crowe  
John H. Dent  
G. Graybill Diehm  
Anthony J. DiSilvestro  
Theodore H. Doehla  
Fraser P. Donlan  
Louis H. Farrell  
Bertram G. Frazier  
James A. Geltz  
John J. Haluska  
Fred P. Hare, Jr.  
Elmer J. Holland  
Frederick L. Homsher  
A. Evans Kephart  
W. J. Lane  
Guy A. Leader  
A. H. Letzler  
John W. Lord, Jr.  
Rowland B. Mahany  
Charles R. Mallery

Donald P. McPherson, Jr.  
John R. Meade  
Samuel G. Neff  
Albert R. Pechan  
Murray Peelor  
Guy B. Robinson  
Maxwell S. Rosenfeld  
Frank W. Ruth  
George B. Scarlett  
John G. Snowden  
George B. Stevenson  
Israel Stiefel  
O. J. Tallman  
Burton E. Tarr  
M. Harvey Taylor  
Patrick J. Toole  
Geo. N. Wade  
Paul L. Wagner  
John M. Walker  
G. Robert Watkins  
Edward B. Watson  
Samuel B. Wolfe  
Lloyd H. Wood  
T. Newell Wood  
Joseph J. Yosko

NAYS—0

All the Senators present, having voted "aye" the question was unanimously determined in the affirmative.

#### IN MEMORIUM—CLARENCE D. BECKER

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Mr. Homsher.

Mr. HOMSHER. Mr. President, I offer the following resolution and move its immediate adoption.

Mr. DIEHM. Mr. President, I second the motion.

The resolution was read as follows:

In the Senate, April 28, 1949.

Whereas, It hath pleased the Divine and All-wise Providence to call from his earthly activities the Honorable Clarence D. Becker, Senator from the Seventeenth District of Pennsylvania, and

Whereas, His public and official services to his community, County and State, were such as to bring him distinction and to mark him as an outstanding citizen, therefore be it

Resolved, That the Senate give expression to the loss it has sustained by the death of our late colleague and friend, whose qualities of heart and mind brought to him prominence and respect and endeared him to all.

Resolved, That we extend to his family, bereaved of his manly and tender presence, our heartfelt sympathy, and pray for them that consolation that can only come from Him, who doeth all things well, and we join with them in the satisfaction of the recollection and memory of his lifework so useful and well done.

Resolved, That a copy of these resolutions, duly engrossed and attested, be forwarded to his family.

On the question,

Will the Senate agree to the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Mr. Homsher.

Mr. HOMSHER. Mr. President, it is not my intention to speak an encomium to Senator Becker. Anything that I might say in the way of mere praise could not in the least add to the impressions he has left upon those who knew him and the times in which he lived. Nor do I intend, at this busy hour, to attempt any extended rehearsal of the many activities of his eventful career. Suffice to say that he was a man of action, and was a worthy scion of an ancestry alike prominent in the affairs of their times and generations.

Clarence Becker, throughout his lifetime, lived in the same community in which he was born. Here he established an enviable reputation as a leader in the political, social, economic, financial and educational activities of Lebanon County. No eulogy in words can compare with the tribute paid to him by people from every walk of life at the last rites for our departed friend.

Although his span of life was rather short, he accomplished more for the benefit of his fellowman than many who remain the allotted three score years and ten.

But it is as a man of culture and refinement that I want chiefly to speak of him. He had a subtle refinement that could only emulate from an inherent culture and self-control. His etiquette was faultless and without formality, and his bearing was that of a perfect gentleman. He made no play to attract popular acclaim to himself, and yet reached distinction in all the lines of his activities and endeavor. With a citizenship like his, our country will never need to fear peril from any source or kind. And with all this he was one of the kind of men, the longer and better you knew them, the greater becomes your admiration and respect.

Mr. President, we may well pause at the passing of a life like that and learn, if we can, the lesson of his example. In the race for success in our chosen lines of endeavor there is danger that the cultivation of the ethics that lie at the very foundation of high citizenship and real success in life are too much overlooked in our education. The qualities that make for such a citizen and gentleman cannot be assumed. They must be grounded in character and spring spontaneously. Nor can they be attained entirely by academic erudition, but must have their foundation in morality, self-restraint, high ideals of character and citizenship.

Personally, I felt a bereavement when word came of his sudden departure. I had learned to admire and like him as a near friend. I felt that he went

"Like one who wraps the drapery of his couch  
About him and lies down to pleasant dreams."

And the question recurring,

Will the Senate agree to the resolution?

YEAS—50

Joseph M. Barr  
Thomas E. Barrett  
James S. Berger  
C. Arthur Blass  
Leroy E. Chapman  
Montgomery F. Crowe  
John H. Dent  
G. Graybill Diehm  
Anthony J. DiSilvestro  
Theodore H. Doehla

Donald P. McPherson, Jr.  
John R. Meade  
Samuel G. Neff  
Albert R. Pechan  
Murray Peelor  
Guy B. Robinson  
Maxwell S. Rosenfeld  
Frank W. Ruth  
George B. Scarlett  
John G. Snowden

Fraser P. Donlan  
Louis H. Farrell  
Bertram G. Frazier  
James A. Geltz  
John J. Haluska  
Fred P. Hare, Jr.  
Elmer J. Holland  
Frederick L. Homsher  
A. Evans Kephart  
W. J. Lane  
Guy A. Leader  
A. H. Letzler  
John W. Lord, Jr.  
Rowland B. Mahany  
Charles R. Mallery

George B. Stevenson  
Israel Stiefel  
O. J. Tallman  
Burton E. Tarr  
M. Harvey Taylor  
Patrick J. Toole  
Geo. N. Wade  
Paul L. Wagner  
John M. Walker  
G. Robert Watkins  
Edward B. Watson  
Samuel B. Wolfe  
Lloyd H. Wood  
T. Newell Wood  
Joseph J. Yosko

# NAYS—0

All the Senators present, having voted "aye" the question was unanimously determined in the affirmative.

## IN MEMORIUM—CHARLES A. P. BARTLETT

The PRESIDENT. The Chair recognizes the gentleman from Northampton, Mr. Yosko.

Mr. YOSKO. Mr. President, I offer the following resolution and move its immediate adoption.

Mr. HOMSHER. Mr. President, I second the motion.

Mr. FARRELL. Mr. President, I second the motion.

The resolution was read as follows:

In the Senate, April 28, 1949.

The Senate library holds an atmosphere of gloom and deep regret, created by the genuine sorrow of all who knew Charles P. Bartlett. He was the Senate Librarian from 1943 until March 18, 1948, when he was beckoned by the shadow beyond.

Mr. Bartlett was born on November 17, 1880 at Concord, Massachusetts, the son of Charles H. and Mary Hobson Bartlett. He was educated in Massachusetts but moved to Easton, Pennsylvania at an early age, to engage in business. His business career, covering more than thirty years was marked with success. He was Secretary-Treasurer of various manufacturing corporations from 1906 to 1933. For a number of years after that he was a sales agent for other manufacturers.

He was a member of the Pennsylvania National Guard from 1904 to 1923, retiring as Major, Coast Artillery. In 1917 he served with the famed Rainbow Division under General Mac Arthur. His book, "Rainbow Memories" helped to immortalize the division. During his eighteen months in the A. E. F. he distinguished himself as a soldier and displayed those qualities which make a successful man. He returned in command of Company A, 149th Machine Gun Battalion.

His next public service was as president of borough council, Borough of Wilson. He served four years in that position and nine years as borough treasurer.

He was elected to the State Senate in 1938 and in 1943 elected by the Senate as Senate Librarian.

His successes were great and enviable, but he always considered his marriage to Mildred E. Richards, as his greatest triumph.

Mr. Bartlett was a member of the First Presbyterian Church in Easton, the American Legion and Military Order of Foreign Wars.

Though his life is over, it was good, full and complete; lived in a way that makes the promised reward secure. We grieve more for those he left behind, than himself; therefore be it

Resolved, That the members of the Senate extend our deepest and most sincere sympathy to his widow, and in turn ask her sympathy for ourselves. We miss him too; and be it further

Resolved, That a copy of this resolution be sent to Mildred Richards Bartlett.

On the question,

Will the Senate agree to the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Northampton, Mr. Yosko.

Mr. YOSKO. Mr. President, the resolution offered in commemoration of the death of my former friend and your former friend and colleague, Senator Charles P. Bartlett, speaks eloquently of his accomplishments and the fullness of his life.

I know it is not within our power to express upon the few pages of a resolution our deep feelings for the Charlie Bartlett we knew as a Member of this Body—as a loyal and efficient public servant—and as the Librarian of this Senate. I am, perhaps, more fortunate than most of you because coming from the same county, I knew Charlie Bartlett for many years before he came upon the Legislative scene in Harrisburg.

I am sure you will agree with me that his election—as a Republican from a normally Democratic district—is an indication of the high esteem in which he was held by his friends and neighbors back home. His sincerity and sterling character endeared him to the leaders of his party, resulting in his appointment as Librarian of the Senate where he served so faithfully and well.

Unfortunately, we are so tied up in the hustle of our daily lives—that very few of us are able to take the time to really know the people we live and work with. Once in a great while, however, we come face to face with an unusual individual whose normal actions arrest our attention and cause us to pause momentarily and just by simple observation we are able to say to ourselves "there is a real man". Such an individual was Charlie Bartlett. His sincerity and honesty of purpose was visible in his whole being—and there are times when I think if I look up from my desk I may find him smiling from the rostrum of the Senate. His kindly spirit has left its indelible mark in this Chamber.

His untimely death was a great loss to the community in which he lived, to the Senate, to those of us who knew him so well and especially to his immediate family.

I am certain—that after faithfully carrying out the Lord's command to the best of his ability, Charlie Bartlett was promoted to carry out a higher and more important task in the great beyond. I am happy that we have taken the time to pause momentarily on our deliberations to pay to Charlie Bartlett and his spirit the respect we rendered him during his life time.

And the question recurring,

Will the Senate agree to the resolution?

## YEAS—50

Joseph M. Barr  
Thomas E. Barrett  
James S. Berger  
C. Arthur Blass  
Leroy E. Chapman  
Montgomery F. Crowe  
John H. Dent  
G. Graybill Diehm  
Anthony J. DiSilvestro  
Theodore H. Doehla  
Fraser P. Donlan  
Louis H. Farrell  
Bertram G. Frazier  
James A. Geltz  
John J. Haluska  
Fred P. Hare, Jr.

Donald P. McPherson, Jr.  
John R. Meade  
Samuel G. Neff  
Albert R. Pechan  
Murray Peelor  
Guy B. Robinson  
Maxwell S. Rosenfeld  
Frank W. Ruth  
George B. Scarlett  
John G. Snowden  
George B. Stevenson  
Israel Stiefel  
O. J. Tallman  
Burton E. Tarr  
M. Harvey Taylor  
Patrick J. Toole

Elmer J. Holland  
 Frederick L. Homsher  
 A. Evans Kephart  
 W. J. Lane  
 Guy A. Leader  
 A. H. Letzler  
 John W. Lord, Jr.  
 Rowland B. Mahany  
 Charles R. Mallery

Geo. N. Wade  
 Paul L. Wagner  
 John M. Walker  
 G. Robert Watkins  
 Edward B. Watson  
 Samuel B. Wolfe  
 Lloyd H. Wood  
 T. Newell Wood  
 Joseph J. Yosko

## NAYS—0

All the Senators present, having voted "aye" the question was unanimously determined in the affirmative.

## IN MEMORIUM—HENRY I. WILSON

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Mr. Peelor.

Mr. PEELOR. Mr. President, I offer the following resolution and move its immediate adoption.

Mr. HOMSHER. Mr. President, I second the motion.

The resolution was read as follows:

In the Senate, April 28, 1949.

As surely, as the soldier who dies on the field of battle, Henry I. Wilson, has given his life to his State. His service began with his election to the House of Representatives in 1899, but it can never end. Even though he died in 1947, while a member of the Senate of Pennsylvania his work was of such nature that not only ourselves but all posterity shall know its benefits. An authority on the theory of workmen's compensation, and an expert on its mechanics he labored long in its behalf. He authored and sponsored the Workmen's Compensation Acts of 1939.

Henry I. Wilson was born in Charlestown Township, Tioga County and attended its public schools. He graduated from Warner's Elmira Business College and taught school and music to finance his study of law. Admitted to the bar of Tioga County, he maintained an active practice until his death.

He was a member of the American, Pennsylvania State, Jefferson County and Indiana County bar associations. He was a member of the IOOF for thirty years. In addition to his careers in law and Government service, he was all his life an expert band and orchestra musician, a teacher, director, soloist and writer.

He married the former Blanche Bacon of Wellsboro in 1893, and together they reared two sons, Lavelle A. and Corday L. Wilson.

While serving his second term in the Senate, after six terms in the House of Representatives he was summoned to serve in another sovereignty where, though the King is God, faithful men are needed, therefore be it

Resolved, By the members of the Senate of Pennsylvania, that we pay tribute to Henry I. Wilson, his long and faithful tenure and his noble and lasting work, and hold his life out as an example for all who would be great to emulate, and be it further

Resolved, That a copy of this resolution be sent to his family.

On the question,

Will the Senate agree to the resolution?

## YEAS—50

Joseph M. Barr  
 Thomas E. Barrett  
 James S. Berger  
 C. Arthur Blass  
 Leroy E. Chapman  
 Montgomery F. Crowe  
 John H. Dent

Donald P. McPherson, Jr.  
 John R. Meade  
 Samuel G. Neff  
 Albert R. Pechan  
 Murray Peelor  
 Guy B. Robinson  
 Maxwell S. Rosenfeld

G. Graybill Diehm  
 Anthony J. DiSilvestro  
 Theodore H. Doehla  
 Fraser P. Donlan  
 Louis H. Farrell  
 Bertram G. Frazier  
 James A. Geltz  
 John J. Haluska  
 Fred P. Hare, Jr.  
 Elmer J. Holland  
 Frederick L. Homsher  
 A. Evans Kephart  
 W. J. Lane  
 Guy A. Leader  
 A. H. Letzler  
 John W. Lord, Jr.  
 Rowland B. Mahany  
 Charles R. Mallery

Frank W. Ruth  
 George B. Scarlett  
 John G. Snowden  
 George B. Stevenson  
 Israel Stiefel  
 O. J. Tallman  
 Burton E. Tarr  
 M. Harvey Taylor  
 Patrick J. Toole  
 Geo. N. Wade  
 Paul L. Wagner  
 John M. Walker  
 G. Robert Watkins  
 Edward B. Watson  
 Samuel B. Wolfe  
 Lloyd H. Wood  
 T. Newell Wood  
 Joseph J. Yosko

## NAYS—0

All the Senators present, having voted "aye" the question was unanimously determined in the affirmative.

## IN MEMORIUM—WEBSTER GRIM

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Mr. Watson.

Mr. WATSON. Mr. President, I offer the following resolution and move its immediate adoption.

Mr. FARRELL. Mr. President, I second the motion.

The resolution was read as follows:

In the Senate, April 28, 1949.

Webster Grim, an outstanding figure in this Commonwealth for many years, died at the age of eighty-one years, at his residence in Doylestown in July of 1947.

Mr. Grim's life was a full one, largely devoted to the affairs of the Democratic Party in his community and State. He was a distinguished member of the Bucks County Bar. He served in the State Senate from 1903 to 1910, and in 1905 was a candidate for Judge of the Supreme Court. In 1908, he was his party's nominee for the Governorship.

Mr. Grim was a great historian and a member of a great many fraternal organizations. He was Grand Master of the Grand Lodge of Pennsylvania Independent Order of Odd Fellows and State Head of the Fraternal Order of Eagles.

He was a Director of Cedar Crest College, Lehigh County, Pennsylvania, and publisher of the Doylestown Democrat.

In the passing of Webster Grim, Bucks County, and the Commonwealth of Pennsylvania have lost one of their most outstanding citizens, whose record of service will stand undisputed in history, therefore be it

Resolved, That the members of the Senate of Pennsylvania pay tribute to this man, his life and his work, and take cognizance of the great loss occasioned by his death, and be it further

Resolved, That in evidence of the deep sympathy of this body, the Secretary of the Senate shall transmit a copy of this resolution to his widow, who resides at Seaside Park, New Jersey, to his daughter, Mrs. Joseph Craft, Ambler, Pennsylvania, and to his son, Dr. George Grim, Philadelphia, Pennsylvania.

On the question,

Will the Senate agree to the resolution?

## YEAS 50

Joseph M. Barr  
 Thomas E. Barrett  
 James S. Berger  
 C. Arthur Blass

Donald P. McPherson, Jr.  
 John R. Meade  
 Samuel G. Neff  
 Albert R. Pechan

Leroy E. Chapman  
Montgomery F. Crowe  
John H. Dent  
G. Graybill Diehm  
Anthony J. DiSilvestro  
Theodore H. Doehla  
Fraser P. Donlan  
Louis H. Farrell  
Bertram G. Frazier  
James A. Geltz  
John J. Haluska  
Fred P. Hare, Jr.  
Elmer J. Holland  
Frederick L. Homsher  
A. Evans Kephart  
W. J. Lane  
Guy A. Leader  
A. H. Letzler  
John W. Lord, Jr.  
Rowland B. Mahany  
Charles R. Mallery

Murray Peelor  
Guy B. Robinson  
Maxwell S. Rosenfeld  
Frank W. Ruth  
George B. Scarlett  
John G. Snowden  
George B. Stevenson  
Israel Stiefel  
O. J. Tallman  
Burton E. Tarr  
M. Harvey Taylor  
Patrick J. Toole  
Geo. N. Wade  
Paul L. Wagner  
John M. Walker  
G. Robert Watkins  
Edward B. Watson  
Samuel B. Wolfe  
Lloyd H. Wood  
T. Newell Wood  
Joseph J. Yosko

NAYS—0

All the Senators present, having voted "aye" the question was unanimously determined in the affirmative.

IN MEMORIUM—CHARLES LINCOLN BROWN

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Mr. Frazier.  
Mr. FRAZIER. Mr. President, I offer the following resolution and move its immediate adoption.  
Mr. FARRELL. Mr. President, I second the motion.  
The resolution was read as follows:

In the Senate, April 28, 1949.

It is a real privilege to the Senate of Pennsylvania, when it can list among its members, truly great men. Such was the case with late Charles Lincoln Brown.  
Senator and Judge Brown was born in Philadelphia on July 6, 1864. He was educated in the public schools but left grammar school to enter business life. While working during the day he studied at night with the assistance of Professor A. M. Brown. He prepared for and entered the Lehigh University for a civil engineering course which illness forced him to abandon. Later he entered the law department of the University of Pennsylvania, graduated, and was admitted to the bar. He maintained an active and extensive practice of law, but still found time for public affairs. He was elected to Philadelphia Common Council on an independent ticket, to fill an unexpired term. He was reelected in 1892 and in 1894 was elected to select council.  
He was elected to the State Senate in 1897 and again in 1905. He was very active in the Senate and concerned himself with its every activity, and in particular he took interest in pure food legislation.  
He was elected to Philadelphia Municipal Court in 1913 and was appointed President Judge in 1914. He is the man responsible for establishing that court as it exists today. The Philadelphia Court as a whole, and particularly the juvenile and domestic relations divisions are considered models the country over. He organized the administrative divisions and all departments of the court. The part of which he was most proud was the Medical Department. It is supervised by a Board of eminent physicians who serve without pay. This Board has selected all of the paid staff of physicians, psychologists, and nurses who are appointed by the judges. The reports of that Department enable the sitting judge to have a complete medical and psychiatric report of the individuals appearing before him.  
Judge Brown's fame as a jurist was further enhanced by the manner in which he handled the cases before him.

His personal integrity combined with his judicial mind and complete impartiality to make an ideal jurist.  
Because his life and his works were devoted to and successful in, making the world, to some measure, a better place to live, therefore be it  
Resolved, That the Senate of Pennsylvania endorse his way of life, his works, and hold him out as an example to every young person who would make a mark upon the sands of time, and achieve personal happiness and contentment in doing it; and that the members of the Senate extend their sympathy to his family and his friends, and be it further  
Resolved, That a copy of this resolution be forwarded to his family.

On the question,  
Will the Senate agree to the resolution?

YEAS—50

Joseph M. Barr  
Thomas E. Barrett  
James S. Berger  
C. Arthur Blass  
Leroy E. Chapman  
Montgomery F. Crowe  
John H. Dent  
G. Graybill Diehm  
Anthony J. DiSilvestro  
Theodore H. Doehla  
Fraser P. Donlan  
Louis H. Farrell  
Bertram G. Frazier  
James A. Geltz  
John J. Haluska  
Fred P. Hare, Jr.  
Elmer J. Holland  
Frederick L. Homsher  
A. Evans Kephart  
W. J. Lane  
Guy A. Leader  
A. H. Letzler  
John W. Lord, Jr.  
Rowland B. Mahany  
Charles R. Mallery

Donald P. McPherson, Jr.  
John R. Meade  
Samuel G. Neff  
Albert R. Pechan  
Murray Peelor  
Guy B. Robinson  
Maxwell S. Rosenfeld  
Frank W. Ruth  
George B. Scarlett  
John G. Snowden  
George B. Stevenson  
Israel Stiefel  
O. J. Tallman  
Burton E. Tarr  
M. Harvey Taylor  
Patrick J. Toole  
Geo. N. Wade  
Paul L. Wagner  
John M. Walker  
G. Robert Watkins  
Edward B. Watson  
Samuel B. Wolfe  
Lloyd H. Wood  
T. Newell Wood  
Joseph J. Yosko

NAYS—0

All the Senators present, having voted "aye" the question was unanimously determined in the affirmative.

Mr. WALKER. Mr. President, I move that these memorial services do now adjourn.  
Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.  
Whereupon,  
The President of the Senate declared the memorial services adjourned.

EXPRESSION OF APPRECIATION BY PRESIDENT OF SENATE

The PRESIDENT. At this time I would like to take this opportunity as the President of this Senate to express my appreciation of the opportunity to serve here in this capacity.  
When I came here at the beginning of the Session of 1947, I was looked upon as a freshman coming into the Halls of the Senate, and when I came here in 1949, I was promptly taken into the family, feeling that I was more acquainted with the running of the Senate, and now

at the end of this Session, I feel in my own heart that I am entirely familiar with the operation of the Senate.

I want to say to you that it is one of the grandest groups of men that I have ever come across. Naturally, this is a floor where debate occurs, it is a place where we launch forth with our ideas, and where people are anxious sometimes, and sometimes compelled to listen, but I believe that most of us try to do what we believe is best for the Commonwealth of Pennsylvania.

I hope that when we come back here in, I think in January of 1951, for the final days of the Administration, when we will have a new Senate coming in, that I will see all of you back here again.

I also would like to take this opportunity to pay my respects to the ladies, to the auxiliary over here on the left.

Many of them have been faithful, they have been watching, and I know they have gathered many words of wisdom, and I should imagine that after this is all over, that some of the husbands will be hearing about the activities of the various Senators. It goes to make a good family feeling.

We appreciate your interest because it shows that you are not only interested in your husbands, and those who are close to you, but that you enjoy the operation of the Senate.

Mr. WALKER. Mr. President, I want to say to you, sir, on behalf of the Members of the Senate, that we have enjoyed this 1949 Session with you, and you have been very patient with us in our deliberations. At times we all appreciate the fact that we have been a little difficult to handle because, after all, at least fifty of us here in this room are just grown up boys.

We appreciate your very kind words to the auxiliary on the left. As you suggested, sir, when we go home, we will hear great reports on what transpired here. May I say to you, Governor, that most of it will be, "Why can't you be as nice as Governor Strickler"?

Governor, we understand also that at the opening of the 1951 Session, for a couple of weeks, at least, you will still be the Presiding Officer of the Senate. May I say, Governor, that there are twenty-five of us here that hope we will be back with you.

Mr. FRAZIER. Will the Governor permit himself to be interrogated?

The PRESIDENT. I will be glad to.

Mr. FRAZIER. Mr. President, I would just like to ask, sir, when you said the ladies have heard many words of wisdom, whether you meant from the Fostrum or from the floor of the Senate, or both?

The PRESIDENT. I am sure it was from the floor of the Senate because all I can do is interpret what you gentlemen have in mind.

#### PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, in fear of being contradicted, I might say that if you could interpret what we have in our minds, you would be good.

Mr. President and Members of the Senate, we are about to close another memorable Session of the Legislature in the state of Pennsylvania. Some of us will leave here feeling that we have contributed somewhat to a better

way of life for all of the citizens of this Commonwealth, and I am sure that no other single group of citizens could be selected that collectively could do anymore than we have tried to do in that direction.

Mr. President, I know that some of the interested parties on the side lines cannot understand why there is a division on the things that they are so particularly interested in.

I remember when we were talking about the nurses' bills, we became rather confused because each day there was a shifting of the proponents and opponents, and I just developed the stock answer that when they would say, "Are you going to help me out?", I would say, "Yes". Finally, when we voted I found out that the one I said I would help out didn't want to be helped the way I helped her out, and she was a little bit peeved about it, but I think afterwards she realized that we have to make a decision. Every man in this room receives a great deal of encouragement, you might say, from those who are interested in particular pieces of legislation.

Mr. President, I remember talking to an attorney on the side lines one afternoon. He said to me, "How are you going to vote on this particular bill"? I said, "Well, frankly, I decided to vote against it". He said, "what are your reasons for voting against it"? I said, "Well, to tell you the truth, I happen to be interested in a business that will be affected." He said, "That's a heck of an attitude to take about the bill." It was all right in that man's mind for me to stand up, and for every Member of the Senate to stand up and help his client in that particular case, but sometimes the clients we have are the people of Pennsylvania, and we have to determine what we think is best for them. The Majority and the Minority programs try at all times to do that, I am sure of that. I am sure of that because I have served in both capacities, both as a Majority and Minority Member, and I know at no time have we ever deliberated with the sole purpose in mind of creating an injury to any person or any group of persons.

Mr. President, it has been an extreme pleasure to serve during this Session. I have enjoyed the relationship between the Minority Leadership and the Majority Leadership. I am sure that the relationship has been pleasant on my part, and I know that Senator Walker has given me a great many considerations upon a great many occasions. I have never had to ask him but once for anything within the realm of his giving that he was not always ready to do whatever he could, within the prescribed rules, to help us out on this side. We know that we only have fifteen Members on this side, but I am proud of the fact that the thirty-five Members on the other side have always considered us individually as just an equal part of the Senate of Pennsylvania, as they would consider themselves.

To the Lieutenant-Governor, I want to say that although tempers have risen on a few occasions, and we would liked to have had you give us the decisions on occasions, we also know that when we were in the Majority, and we had a Lieutenant-Governor, his eyes kind of wandered to our side a great deal oftener than the other side. It happens to be one of the things that a Presiding Officer must do in a parliamentary body.

To those on the outside who do not understand that, let me say to the credit of the Lieutenant-Governor, he

has tried at all times to give us every bit of consideration that he can.

So, Mr. President, I thank all of you on the other side for all the courtesies you have given us.

Mr. President, as the names were read off a minute ago of the Members of the Senate who have left this world, I am sure that on this side of the Senate, when the roll was called, there was just as much a feeling of sorrow as there was on the other side.

Mr. President, I was particularly fond of Clarence Becker as a very personal friend. For some reason or other, things are not the same, when I go to the back room of the Senate, as they were when Senator Becker was there. He always had that friendly, Dutch smile, and always had a story on his lips, and was always ready to move way, way out of his lane to help somebody else in something that they desired. Every man in this Senate that knew him lost a friend. He is one man that I know who never decided within his own heart on a man's political affiliations. I think he accepted each of us as we accepted him, and in the fashion of men and not of politicians.

Mr. President, some fellows, those of us who may not be here the next time the roll is called, may be amongst the missing, either defeated in the political wars that take place, or may be called to a higher place of activity. I just wonder if when we all die—that will, of course, happen eventually—if when we all gather up above, and I know that as Members of the Senate that is where we will gather, if we all gather up there, whether old genial Harve Taylor will be selected without a fuss. We'll put Harvey in charge of the hordes of angels up there and I wonder how many angels he'll give to the Democratic Side, and how many to the Republican Side.

Mr. President, I want to say to Harve Taylor, and I am now speaking for the Minority, I am sure, that he has never broken his word to any of us. If upon occasions we have had to go to him to speak of committee assignments, to speak of the various duties that were ours, to talk to him about friends and constituents who are in trouble back home, I am sure that I, personally, can say he has always given me every consideration, and I want to thank him on the part of the Minority Members of the Senate for his every kindness that he has shown to us.

So, Mr. President, for fear of standing here too long, to all of you, I hope that when we are back here next time that all of us will be together.

#### PERMISSION TO ADDRESS SENATE

Mr. HALUSKA ask and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, I would also like to pay my respects to all of my colleagues in this Chamber, especially to the employees, Ralph Early, in the barber shop, the boys back in the canteen who have been very courteous, nonpartisan and cared for all of us.

Now, Mr. President, may I pay my respects to George Stevenson, with whom I have had the pleasure of working during the interim on the Local Government Commission, who has been fair, impartial and has tried sincerely to shape up the work for this Session. I believe sincerely, Mr. President, that the work being done by the Local Government Commission, the State Government

Commission, has helped tremendously in expediting the work of this Senate.

Mr. President, I want to pay my respects to Senator Homsher, Chairman of the Education Committee, who has been very, very fair. If any of us had bills, pet bills, he brought them up for consideration. This prevailed in the past in many committees.

I also want to pay my respects, Mr. President, to our good friend, the Doctor, Chairman of the Appropriations Committee, Doctor Chapman, who has been very kind and courteous in listening to us, and trying to help us out with our problems back home.

So. Mr. President, I have enjoyed this Session, and while we all wish to go home, still at this hour we get a low feeling. There is something about it that brings about sadness because history has proven that between Sessions it is quite apparent that some of us pass away. That has been true since I have been here. Between Sessions, we find that one of the men, one of our colleagues, has been called. I hope that when we do return, I would rather see a Democratic Majority—of course, I don't want to see a Republican Majority the next time—but if that is the choice of the people, we hope the same men shall return. We have found some fine fellows here, all good sports, congenial and nice to work with.

For you, Mr. President, we have enjoyed your decisions, although we haven't always agreed with you, but we realize your position. You have been fair to the Minority, and we appreciate your fairness. We wish you the best of luck in your future endeavors.

#### PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President and Members of the Senate, before I thank my colleagues for their confidence in my purpose by passing a bill which I sponsored, I would like to say that I have never been associated with a finer group of men anywhere at anytime. I am a joiner, I belong to many fraternal organizations, lodges and veterans posts, but my association with you gentlemen is the most pleasant I have ever experienced. On both sides of the aisle, you gentlemen have always been most helpful to me. The manner in which you received me as a newcomer gave me added confidence in myself and in a few days you made me feel that I was one of you. Many thanks to all of you.

Now, Mr. President, to get back to Senate Bill No. 340, may I say that this General Assembly has done much in passing this bill by making it possible to have our next generation secure preventative instead of operative dentistry by permitting dental hygienists to use the recently proven therapeutic value of sodium fluoride solution on the exposed surfaces of teeth. The use of this drug has proven that we can reduce the incidence of decay up to 70% if applied to teeth of children up to the age of twelve. Many of our schools employ hygienists, but under the existing laws, were not permitted to use this drug.

Mr. President, we as dentists are happy to have this fine group of ladies who are trained both technically and professionally to help us, as a profession, destroy the ravages of decay in the teeth of our next generation.

Mr. President, the gentlemen of the Senate have helped

me far beyond their expectations when they passed this bit of legislation. We are going to be at least two years ahead of our sister states. Just this morning I received a letter requesting a copy of our bill from a Representative in New Jersey.

So, Mr. President, on behalf of the dental profession, the hygienists and the future generation, we thank you.

### HOUSE MESSAGES

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 312

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 312, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," creating the State Board of Chiropractic Examiners and defining its powers and duties.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 460

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 460, entitled:

An Act to reenact, amend and revise the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law."

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1055

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1055, entitled:

An Act providing and regulating State assistance for housing for persons of limited income, and making an appropriation.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1102

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1102, entitled:

An Act defining cold storage, requiring licenses to operate cold storage warehouses and locker plants, requiring records, reports, marking, wrapping, protecting, limiting time of storage, disposition, sale, return or transfer of foods in cold storage, conferring powers on the Department of Agriculture including adoption of rules and regulations, special permits for storage of feeding stuffs for animal use and providing penalties for violation of this act.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1136

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1136, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-nine.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1137

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1137, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1216

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1216, entitled:

An Act abating certain tax penalties and interest on unpaid county, city, borough, town, township, school district, poor district, and county institution district taxes, prohibiting the sale of real property for the nonpayment of any such taxes for a certain period, and preserving certain tax liens and providing for the extension thereof.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1317

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1317, entitled:

A Supplement to the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," authorizing the Governor on behalf of the Commonwealth of Pennsylvania, to enter into a supplemental compact or agreement with the State of New Jersey, changing the name of The Delaware River Joint Commission to the Delaware River Port Authority, and the method of appointment of commissioners, extending the jurisdiction, powers and duties of The Delaware River Port Authority and defining such additional jurisdiction, powers and duties; conferring power of veto upon the Governor; to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply, on behalf of the Commonwealth, to the Congress of the United State for its consent thereto.

HOUSE NON-CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL No. 695

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 695, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-seven (P. L. 318), entitled "The C. P. A. Law," by prescribing educational and regulating use of the word "certified" or any abbreviation thereof or its initial letter.

SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 695

Mr. WALKER. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 695.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL No. 872

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 872, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "Third Class County Board Assessment Law," by providing for annual assessments; abolishing triennial assessments; providing for fixing of salaries of subordinate assessors; limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made; and making assessments applicable to taxation for institution district purposes.

SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 872

Mr. WALKER. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 872.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL No. 896

He also returned to the Senate, Senate Bill No. 896, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto," by changing the provisions for the classification of school districts.

with the information that the House has passed the same without amendmets.

SENATE BILL NO. 909 RETURNED WITH  
AMENDMENTS

He also returned to the Senate, Senate Bill No. 909, entitled:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation.

with the information that the House has passed the same with amendments in which the concurrence of the Senate as requested.

The PRESIDENT. The bill with amendments will be laid on the table.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 671, entitled:

An Act to amend section one hundred two, clause (a) of section three hundred six, clauses (b) and (d) of section three hundred seven, clauses (a) and (b) of section three hundred eight, clause (a) of section three hundred fourteen, clause (a) of section five hundred one, and sections six hundred one, seven hundred one and seven hundred three of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution districts taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by authorizing counties to elect to become subject to said act; providing for the transfer of tax claims to the Tax Claim Bureau and for the determination of the validity of tax claims; changing dates for the return of property on which taxes are delinquent, for making up claims, for notice to delinquent taxpayers, for the period of redemption and for tax sales; providing when interest shall begin to run on returned taxes, and providing for the stay of tax sales by the court of common pleas.

Senate Bill No. 700, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture

shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by transferring certain duties heretofore imposed under this act on the Department of Public Instruction to the State Board of Cosmetology.

Senate Bill No. 701, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Cosmetology as a departmental administrative board in the Department of Public Instruction, and prescribing its powers and duties.

Senate Bill No. 702, entitled:

An Act providing for powers, responsibilities, duties and limitations of the Governor, Adjutant General, Department of Military Affairs, Pennsylvania State Armory Board, Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth; for the definition, organization, powers and limitations of the unorganized militia, Pennsylvania National Guard, Pennsylvania Guard, Naval Militia, and for coordination with the government of United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of United States apportioned the Commonwealth.

Senate Bill No. 735, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

Senate Bill No. 736, entitled:

An Act to amend the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15 1933-34), entitled as amended "An act to

regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing that application for a liquor license by the holder of a malt beverage license for premises already licensed shall not be deemed application for a new license; further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

Senate Bill No. 747, entitled:

An Act to amend section three hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by directing that an allowance be paid to every county controller for the expenses pertaining to the institution district.

Whereupon,  
The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

#### SENATE BILL No. 909 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 909, which was returned from the House with amendments.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,  
The Senate resumed the consideration of Senate Bill No. 909, entitled:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by inserting after the word "funds", the following: "In The General Fund."

On the question,  
Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 909

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 909.

Mr. HARE. Mr. President, I second the motion.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "ayes" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE RESOLUTIONS

#### COMMITTEE TO BE APPOINTED TO NOTIFY THE HOUSE THE SENATE IS READY TO ADJOURN SINE DIE

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 28, 1949.

Resolved, That a committee of three Senators be appointed to notify the House of Representatives that the Senate is now ready to adjourn sine die.

#### COMMITTEE TO BE APPOINTED TO NOTIFY THE GOVERNOR THE SENATE IS READY TO ADJOURNED SINE DIE

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 28, 1949.

Resolved, That a committee of three members of the Senate be appointed to wait upon His Excellency, the Governor, and inform him that the Senate is now ready to

adjourn sine die, and inquire if he has any further communications to make.

#### AUTHORIZING THE PRINTING OF MEMORIAL RESOLUTIONS

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 28, 1949.

Resolved, That five hundred copies of the Memorial exercises in memory of Clarence D. Becker, William C. McConnell, Charles E. Miller, W. Crawford Murdoch, Charles H. Ealy, Charles A. P. Bartlett, Henry I. Wilson, Webster Grim and Charles L. Brown, deceased, be printed in book form for the use of the Senate.

#### HOUSE BILL No. 1109 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1109, which was passed over in its order, temporarily.

#### BILL DROPPED FROM CALENDAR

Mr. WALKER. Mr. President, I move that House Bill No. 1109, on third reading, entitled:

An Act to further amend subsection (d) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primaries and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and conifing revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by increasing the compensation of judges of elections

be dropped from the Calendar.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, I would like to explain to the gentlemen of the Senate, if the gentlemen will permit, I thought this had been cleared with the other side. These bills were held on the Senate Calendar, pending the disposition of comparable legislation on the other side. Now that the House has passed those bills, we are clearing these.

Mr. DENT. Mr. President, it has been explained by the gentleman from Philadelphia, Senator Kephart, that the Tallman-Mallery Bill takes care of that very thing. We have no objection to dropping House Bill No. 772 and House Bill No. 1109 from the Calendar.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

#### HOUSE BILL No. 772 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 772, which was passed over in its order, temporarily.

## BILL DROPPED FROM CALENDAR

Mr. WALKER. Mr. President, I move that House Bill No. 772, on third reading, entitled.

An Act to further amend subsection (b) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and confining revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by making further provision for the compensation of judges inspectors clerks and machine inspectors at primaries and elections in counties of the fifth class

be dropped from the Calendar.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

## HOUSE MESSAGES

## SENATE BILL NO. 978 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 978, entitled:

An Act to amend the title and the act, approved the fifteenth day of June, one thousand nine hundred thirty-seven (P. L. 1743), entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon and prohibiting certain practices by magistrates; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of additional clerks and fixing their compensation; regulating the practice in magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts, and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior acts," by further regulating magistrates and magistrates' courts and practice; increasing the salary of magistrates; defining additional unlawful practices; imposing duties upon the Attorney General and the District Attorney; and repealing certain sections and inconsistent legislation.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## HOUSE NON-CONCURS IN AMENDMENTS TO SENATE BILL No. 575, RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has non-concurred in amendments made by the Senate to Senate Bill No. 575 entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by authorizing the transfer of unneeded purchase supplies between departments, boards and commissions.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

The PRESIDENT. The bill will be laid on the table.

## HOUSE CONCURS IN SENATE BILL NO. 689

He also returned to the Senate, Senate Bill No. 689 entitled:

An Act to further amend section five hundred twenty-one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officer thereof, including the board of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by eliminating the requirement that contractors file with the Commonwealth certified payrolls of work done under public work contracts.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 917

He also returned to the Senate, Senate Bill No. 917, entitled:

An Act to amend the title and section one of the act, approved the twenty-third day of May, one thousand nine hundred forty-seven (P. L. 293), entitled "An act permitting certain personnel of State owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases," by including managers of veterans administration hospitals within the provisions of the act.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 926

He also returned to the Senate, Senate Bill No. 926, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey or to lease subject to certain terms and conditions a certain tract of land and a certain right of way in the Township of Upper Saint Clair, County of Allegheny, Pennsylvania.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 970

He also returned to the Senate, Senate Bill No. 970, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and of the United States of America, to sell at public sale to the highest bidder a part of certain real estate located in Dauphin County recently acquired by the Commonwealth from the Reconstruction Finance Corporation.

with the information that the House has passed the same without amendments.

## HOUSE INSISTS UPON ITS AMENDMENT NON-CONCURRED BY THE SENATE TO SENATE BILL No. 286 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 286, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide money for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" eliminating certain obsolete provisions thereof clarifying certain definitions and terms changing the rights and obligations of employers and employees thereunder and requiring prothonotaries to enter certain liens without prepayment of costs

and has appointed Messrs. HELM, KENT and EVANS, as

a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

## HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED BY THE SENATE TO SENATE BILL No. 585 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 585, entitled:

An Act authorizing certain officers in cities of the first and second class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class in cities of the second class and in school districts of the first class under certain conditions.

and has appointed Messrs. SMITH, COSTA and ANDREWS, as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

## HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED BY THE SENATE TO SENATE BILL No. 796 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 796, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven, (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," by fixing the compensation and mileage of county auditors in such counties.

and has appointed Messrs. KENT, FLACK and COLE, as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

## HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 695 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 695, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-seven (P. L. 318) entitled "The C. P. A. Law," by prescribing educational and regulating use of the word "certified" or any abbreviation thereof or its initial letter.

and has appointed Messrs. ALTSHULER, BRUNNER and SWOPE as a Committee of Conference to confer with similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

## HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 872 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on

its non-concurrence in Senate amendments to House Bill No. 872, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379) entitled "Third Class County Board Assessment Law," by providing for annual assessments; abolishing triennial assessments; providing for fixing of salaries of subordinate assessors; limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made; and making assessments applicable to taxation for institution district purposes.

and has appointed Messrs. FLACK, ROBERTSON and SWOPE, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 312, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," creating the State Board of Chiropractic Examiners and defining its powers and duties.

House Bill No. 460, entitled:

An Act to reenact, amend and revise the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law."

Senate Bill No. 663, entitled:

An Act authorizing the compromise and arbitration of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

House Bill No. 668, entitled:

An Act to amend sections two and three of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," by authorizing direct purchases in certain cases.

Senate Bill No. 688, entitled:

An Act to further amend sections two hundred ten and five hundred eleven of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," establishing one procedure for changing, altering or establishing the width, lines, locations or grades of State highways in townships and boroughs and incorporated towns.

Senate Bill No. 703, entitled:

An Act to further amend subsection (c) of section two

of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and non-resident real estate brokers and real estate salesmen and their business," by excluding auctioneers of land from the definition of real estate broker or salesman.

Senate Bill No. 732, entitled:

An Act to amend part of section two of the act, approved the second day of July, one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax, payable by those herein defined as users, on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such users to secure licenses, to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State Officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensed users; and making appropriations," by further defining "public highways."

Senate Bill No. 776, entitled:

An Act to further amend clause nine of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contribution by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "Original member" to include certain additional employees.

House Bill No. 879, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "Administrative Agency Law," by redefining "regulation"; changing provisions governing promulgation of regulations; imposing duties on the Department of State extending the grounds for refusing to affirm adjudications of agencies; requiring all appeals to be taken to the Superior Court; and enumerating the agencies affected and the extent to which they are effected.

Senate Bill No. 896, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions for the classification of school districts.

Senate Bill No. 897, entitled:

An Act to further amend subsection A of section one thousand twelve of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; pro-

viding for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by and other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing banks and trust companies to make loans on security of bonds secured by mortgages upon real property situated within the Commonwealth when said mortgages are insured by the United States Department of Agriculture.

House Bill No. 897, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the World War II Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds and making an appropriation.

House Bill No. 898, entitled:

An Act to further amend subsection of section six hundred two of the act, approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34), entitled, as amended, "Pennsylvania Liquor Control Act" by exempting television exhibitions from provisions of the act requiring special permits.

Senate Bill No. 909, entitled:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation.

Senate Bill No. 963, entitled:

An Act to amend subsection (b) of section one thousand three hundred seventy-six, and subsection (b) of section one thousand three hundred seventy-seven of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing payments by the Commonwealth for instruction of parents of certain blind children in caring for such children.

Senate Bill No. 983, entitled:

An Act to amend the act approved the thirty-first day of May, one thousand nine hundred forty-five (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," by further regulating the mining of bituminous coal by the open pit mining method.

House Bill No. 1052, entitled:

An Act merging and consolidating State housing with State; merging the State Board of Housing with the State

Planning Board; establishing a State Planning Code and repealing certain acts.

House Bill No. 1053, entitled:

An Act to amend the title and further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled "Housing Authorities Law" by extending the act to all cities; changing the scope of the field of operation of a county authority; providing for the use of State grants or contributions towards payment of bonds and interest and as additional pledge therefor; and transferring the administration of the act from the State Board of Housing to the State Planning Board.

House Bill No. 1054, entitled:

An Act to amend the act, approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991), entitled "Urban Redevelopment Law" by substituting the State Planning Board for the State Board of Housing.

House Bill No. 1055, entitled:

An Act providing and regulating State assistance for housing for persons of limited income, and making an appropriation.

House Bill No. 1056, entitled:

An Act to amend the titled and sections three, fourteen and twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 704), entitled "Limited Dividend Housing Company Law" by transferring supervision and regulation of such companies to the State Planning Board.

House Bill No. 1057, entitled:

An Act to amend sections three and four of the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-seven (P. L. 888), entitled "Housing Cooperation Law" by removing any ambiguity as to the powers of a State public body with respect to long term agreements, and changing definition of term "Housing Project."

House Bill No. 1058, entitled:

An Act to amend sections four and six of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 982), entitled "Redevelopment Cooperation Law" by removing any ambiguity as to the powers of a State public body with respect to long term agreement and permitting State public bodies to issue bonds to provide funds for local contributions required by Federal law.

House Bill No. 1059, entitled:

An Act to further amend section four hundred fifty-one and to amend section two thousand five hundred two B, of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by reconstituting the State Planning Board; and changing its functions.

House Bill No. 1062, entitled:

An Act to further amend section two thousand seven hundred eighteen of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act" by authorizing boroughs to make appropriations from the general borough funds for recreation purposes.

House Bill No. 1102, entitled:

An Act defining cold storage, requiring licenses to oper-

ate cold storage warehouses and locker plants, requiring records, reports, marking, wrapping, protecting, limiting time of storage, disposition, sale, return or transfer of foods in cold storage, conferring powers on the Department of Agriculture including adoption of rules and regulations, special permits for storage of feeding stuffs for animal use and providing penalties for violation of this act.

House Bill No. 1136, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-nine.

House Bill No. 1137, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

House Bill No. 1173, entitled:

An Act to amend sections six and twelve of the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "Fourth Class County Retirement Law," authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at the option of the retirement board and adjusting county annuity on superannuation retirement upon such transfers.

House Bill No. 1174, entitled:

An Act to amend section five and to further amend section eleven of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; imposing certain charges on counties and prescribing penalties," authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement upon such transfers.

House Bill No. 1216, entitled:

An Act abating certain tax penalties and interest on unpaid county, city, borough, town, township, school district, poor district, and county institution district taxes, prohibiting the sale of real property for the nonpayment of any such taxes for a certain period, and preserving certain tax liens and providing for the extension thereof.

House Bill No. 1222, entitled:

An Act to further amend section ten of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes' Retirement Law," by granting per diem legislative employes, now State employes, credit for such per diem legislative service.

House Bill No. 1292, entitled:

An Act to further amend subsection (a) of section two hundred nineteen of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "Nonprofit Corporation Law," by further providing for the determination of persons of low income.

House Bill No. 1317, entitled:

A Supplement to the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," authorizing the Governor on behalf of the Commonwealth of Pennsylvania, to enter into a supplemental compact or agreement with the State of New Jersey, changing the name of the Delaware River Joint Commission to the Delaware River Port Authority, and the method of appointment of commissioners, extending the jurisdiction, powers and duties of The Delaware River Port Authority and defining such additional jurisdiction, powers and duties; conferring power of veto upon the Governor; to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two State in this act set forth and authorizing the Governor to apply, on behalf of the Commonwealth, to the Congress of the United States for its consent thereto.

House Bill No. 1329, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purpose of acquiring by gift or purchase, on behalf of the Commonwealth, the Codorus Forge and Furnace in Hellam Township, York County.

House Bill No. 1330, entitled:

An Act to amend section one of the act, approved the twenty-fourth day of March, one thousand nine hundred forty-nine, and designated as Act No. 24 (P. L. ), entitled, "An act to reenact and further amend the title and the act, approved the fourteenth day of May, one thousand nine hundred forty-seven (P. L. 249), entitled as amended, 'An act to provide revenue by imposing an excise tax, payable by those herein defined as manufacturers and bottlers of bottled soft drinks, and syrups as herein defined, prepared, used, sold, transported or delivered within the Commonwealth and by others; requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits; prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax; conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks and providing penalties,' by further regulating the procedure and the jurisdiction of the Department of Revenue and of the Board of Finance and Revenue relative to claims for refunds, and by extending the provisions thereof for a further limited period of time," by inserting the words carbonated waters in and further clarifying, the definition of syrups and bottled soft drinks, and by extending the period of time during which the department may advance tax crowns or stamps in certain cases.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL No. 585

Mr. KEPHART. Mr. President, on behalf of Senator Farrell, I submit the report of the Committee of Conference on Senate Bill No. 585, entitled:

An Act authorizing certain officers in cities of the first and second class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class in cities of the second class and in school districts of the first class under certain conditions

The PRESIDENT. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL No. 796

Mr. WADE. Mr. President, I submit the report of the Committee of Conference on Senate Bill No. 796, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven, (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," by fixing the compensation and mileage of county auditors in such counties.

The report has been singled by five members of the committee and objected to by one member.

The PRESIDENT. The report will lie over for printing under the rules.

SENATE BILL No. 575 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 575, which was recalled from the Governor and amended in the Senate, in which amendments the house has non-concurred.

SENATE RECEDES FROM ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO SENATE  
BILL No. 575, RECALLED FROM THE  
GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate recede from its amendments non-concurred in by the House to Senate Bill No. 575, recalled from the Governor, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the transfer of unneeded purchased supplies between departments, boards and commissions.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 978 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 978, which was returned from the House with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 978, entitled:

An Act to amend the title and the act, approved the fifteenth day of June, one thousand nine hundred thitry-seven (P. L. 1743), entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon and prohibiting certain practices by magistrates; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of additional clerks and fixing their compensation; regulating the practice in magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts, and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior acts," by further regulating magistrates and magistrates' courts and practice; increasing the salary of magistrates; defining additional unlawful practices; imposing duties upon the Attorney General and the District Attorney; and repealing certain sections and inconsistent legislation.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 4, Page 7, line 8, by striking out the brackets around the word "six". Amend Section 4, page 7, line 8, by striking out after the left-faced bracket and before the word "months", the following: "twelve"; Amend Section 5, page 10, by inserting between lines 18 and 19, the following: "The chief magistrate shall have the duty and power to appoint and assign magistrates to serve as committing magistrates in such other police stations of the City of Philadelphia where magistrates are authorized or required to serve"; Amend Section 14, page 18, by inserting after line 18, the following: "In

the specific cases provided by law where the party complaining is authorized to acknowledge receiving satisfaction and have the defendant discharged or in all other cases”.

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 978

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 978.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. ROSENFELD. Mr. President, I do not want to take up the valuable time of the Senate by going into any protracted and prolonged discussion of the features of Senate Bill No. 978, which this side of the Senate argued against when the bill was before us for consideration last week. At that time the gentleman from Philadelphia Senator Stiefel and I tried to point out that this was a problem affecting the “Philadelphia Story”, as we learned to know it not only in Philadelphia but in Harrisburg.

Mr. President, the O'Malley situation, about which many of you have heard and read, was the result of the right of the Presiding Magistrate and the Mayor to perpetuate their hold on the Central Police Court in Philadelphia to the point where one magistrate sat there almost always. This, as all of you know, resulted finally in charges being leveled against the Chief Magistrate of the City of Philadelphia.

Now, Mr. President, comes an effort to correct conditions as they then were, and when this bill was before us last week, this side of the Senate argued against a provision which would permit a magistrate to sit at Central Police Court once a year. We argued that if there were twenty-eight magistrates, there should be a rotating system so there would be no possibility of magistrates becoming familiar with the police and the gamblers to the detriment of the citizens of the City of Philadelphia. Notwithstanding the arguments, the bill passed the Senate thirty-five to fifteen, and if that was not enough, the House thereupon proceeded to add insult to injury by amending the bill to provide now that instead of a magistrate being able to sit there one month a year, he may now be able to sit there two months a year.

Mr. President, under the circumstances, we as decent citizens, knowing the trouble and the shame that has come to the City of Philadelphia as a result of that, must not only vote against this bill, but must ask all our colleagues, in the interest of the citizens of Philadelphia, to vote against it likewise.

Mr. STIEFEL. Mr. President, I am fully aware of the fact that this bill has been penned by the Attorney General of the Commonwealth, but when it comes to Philadelphia, academic approaches are not sufficient. You must study the practical approach in order to correct the evil, and this practical approach is lacking in this bill.

Mr. President, I do not want to inject partisan consideration in the matter, but this bill, despite the fact that it emanates from the Attorney General's Office, will create a Republican monopoly in the Central Police

Station, and for that reason I am appealing to all those who are interested in better government for Philadelphia to defeat this measure.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—35

Berger,	Geltz,	Meade,	Wade,
Blass,	Hare,	Pechan,	Wagner,
Chapman,	Homsher,	Peelor,	Walker,
Crowe,	Kephart,	Robinson,	Watkins,
Diehm,	Letzler,	Scarlett,	Watson,
Doshla,	Lord,	Snowden,	Wolfe,
Donlan,	Mahany,	Stevenson,	Wood, L. H.,
Farrell,	Mallery,	Tallman,	Wood, T. N.,
Frazier,	McPherson, Jr.,	Taylor,	

#### NAYS—15

Barr,	Haluska,	Neff,	Tarr,
Barrett,	Holland,	Rosenfeld,	Toole,
Dent,	Lane,	Ruth,	Yosko,
DiSilvestro,	Leader,	Stiefel,	

A majority of all the Senators having voted “aye” the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE MESSAGE

#### HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 409 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 409, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled “An act establishing a public school employees retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process, and providing penalties,” by extending service allowance of certain employees.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill was amended.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 530 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call up for consideration at this time the Report of the Committee of Conference on Senate Bill No. 530.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 530

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 530, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 530, entitled: "An act to amend section ten of the act approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1410) entitled 'An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith,' by increasing the minimum annual salaries of associate judges not learned in the law."

Respectively submit the following bill as our report:

GEORGE B. STEVENSON,  
SAMUEL B. WOLFE,  
SAMUEL G. NEFF,  
(Committee on the Part of the Senate.)

CHESTER A. COLEMAN,  
EDWIN W. TOMPKINS,  
IVAN C. WATKINS,  
(Committee on the Part of the House of Representatives)

An Act to amend section ten of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" by increasing the minimum annual salaries of associate judges not learned in the law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" is hereby amended to read as follows

Section 10 The salaries or compensation of the associate judges not learned in the law of the courts of this Commonwealth shall be as follows each such associate judge shall receive six dollars (\$6) per day for every day he may be employed in the discharge of his official duties Provided That the salary of no such associate judge shall be less than [seven hundred twenty dollars (\$720)] one thousand two hundred (\$1200) annually each of said judges shall continue to be entitled to mileage as now provided by existing law

On the question,  
Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE ON  
CONFERENCE ON SENATE BILL No. 530

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 530.

Mr. HARE. Mr. President, I second the motion.  
On the question,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier.	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.  
Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL NO. 105 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call up for consideration at this time the Report of the Committee of Conference on Senate Bill No. 105.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL NO. 105

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 105, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 105, entitled: "An act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal School, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; \* \* \*, by changing the salaries of certain officers of the Commonwealth."

Respectively submit the following bill as our report:

A. EVANS KEPHART,  
CHARLES R. MALLERY,  
MAXWELL S. ROSENFELD,  
(Committee on the Part of the Senate)

CHARLES H. BRUNNER, JR.,  
CHARLES C. SMITH,  
ALBERT S. READINGER,  
(Committee on the Part of the House of Representatives.)

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work

of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by changing and fixing the salaries of certain officers of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments board commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments board and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments board and commissions shall be determined" as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 94) is hereby further amended to read as follows

Section 205 Pennsylvania State Police The Pennsylvania State Police shall consist of a Commissioner a Deputy Commissioner the State police force and the State Highway Patrol as now authorized by law which are hereby consolidated into one force to be known as the State Police Force and such chiefs statisticians clerks experts and other assistants as the commissioner with the approval of the Governor shall deem necessary for the work of the force

The Commissioner of the Pennsylvania State Police shall receive a salary at the rate of [eight] fifteen thousand dollars per annum

The Deputy Commissioner of the Pennsylvania State Police shall be appointed by the Commissioner of Pennsylvania State Police with the approval of the Governor and shall receive a salary at the rate of [seven] eight thousand five hundred dollars per annum

The State Police Force shall consist of such number of officers and men and shall be organized in such manner as the Commissioner of Pennsylvania State Police with the approval of the Governor shall from time to time determine Provided however That the number of officers and men shall not exceed in the aggregate at any time one thousand six hundred persons

The members of the State Police Force and the chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be appointed by the commissioner and shall receive such compensation as shall be fixed by the commissioner with the approval of the Governor which compensation shall how-

ever conform to the standards established by the Executive Board

Section 2 Section two hundred nine of said act as last amended by the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 101) is hereby further amended to read as follows

Section 209 Compensation of the Governor Lieutenant Governor and the Heads of Departments Annual salaries shall be payable in equal semi-monthly installments as follows

To the Governor [eighteen] twenty-five thousand dollars

To the Lieutenant Governor [eight] fifteen thousand dollars

To the Secretary of the Commonwealth [ten] fifteen thousand dollars

To the Attorney General [twelve] fifteen thousand dollars

To the Auditor General [twelve] fifteen thousand dollars

To the State Treasurer [twelve] fifteen thousand dollars

To the Secretary of Internal Affairs [ten] fifteen thousand dollars

To the Superintendent of Public Instruction [twelve] fifteen thousand dollars

To the Adjutant General [ten] fifteen thousand dollars

To the Insurance Commission [ten] fifteen thousand dollars

To the Secretary of Banking [ten] fifteen thousand dollars

To the Secretary of Agriculture [ten] fifteen thousand dollars

To the Secretary of Forests and Waters [ten] fifteen thousand dollars

To the Secretary of Mines [ten] fifteen thousand dollars

To the Secretary of Highways [twelve] fifteen thousand dollars

To the Secretary of Health [ten] fifteen thousand dollars

To the Secretary of Labor and Industry [ten] fifteen thousand dollars

To the Secretary of Welfare [ten] fifteen thousand dollars

To the Secretary of Property and Supplies [ten] fifteen thousand dollars

To the Secretary of Revenue [twelve] fifteen thousand dollars

To the Secretary of Public Assistance [ten] fifteen thousand dollars

To the Secretary of Commerce [ten] fifteen thousand dollars

Neither the Governor Lieutenant Governor nor the head of any administrative department shall receive any additional compensation for any services rendered to the Commonwealth in any capacity

Section 3 Subsection (a) of section two hundred ten of said act as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (Pamphlet Laws 945) is hereby further amended to read as follows

Section 210 Compensation of Members of Administrative Boards and Commissions (a) Annual salaries shall be payable in equal semi-monthly installments as follows

[To the Commissioner of Fisheries six thousand seven hundred fifty dollars]

To the chairman of the Pennsylvania Public Utility Commission [ten thousand five hundred] fifteen thousand dollars as provided by law

To the members of the Pennsylvania Public Utility Commission other than the chairman each [ten] fourteen thousand dollars as provided by law

To the chairman of the Pennsylvania Labor Relations Board nine thousand dollars as provided by law

To the members of the Pennsylvania Labor Relations Board each eight thousand five hundred dollars as provided by law

To the chairman of the Milk Control Commission ten thousand five hundred dollars as provided by law

To the members of the Milk Control Commission each ten thousand dollars as provided by law

To the chairman of the Pennsylvania Liquor Control Board fifteen thousand dollars

To the members of the Pennsylvania Liquor Control Board other than the chairman each fourteen thousand dollars

Section 4 Section four hundred twenty-seven of said act as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1354) is hereby further amended to read as follows

Section 427 State Athletic Commission The State Athletic Commission shall consist of three members who shall be appointed for terms of two years and the Secretary of Revenue ex officio

Each member of the Commission except the Secretary of Revenue and the chairman shall receive a salary of [five thousand five hundred] seven thousand dollars per annum and the chairman shall receive a salary of seven thousand five hundred dollars per annum

Two members of the Commission shall constitute a quorum and the concurrence of at least two members of the Commission shall be necessary to render valid any action by the Commission

The Commission may appoint such number of deputies as shall be approved by the executed board whose compensation shall be fixed by the Commission with the approval of the Governor

The Commission may with the approval of the Secretary of Revenue appoint a secretary who shall receive a salary to be fixed by the Commission with the approval of the Governor

Section 5 Section four hundred twenty-nine of said act is hereby amended to read as follows

Section 429 Pennsylvania Securities Commission The Pennsylvania Securities Commission shall consist of three members and the Secretary of Banking ex officio

Two members of the Commission shall constitute a quorum and no action of the Commission shall be valid unless it shall have the concurrence of at least two members A vacancy on the commission shall not impair the right of a quorum to exercise all the powers and perform all the duties of the Commission

The Governor shall designate one of the members of the commission as the chairman thereof and the Secretary of Banking with the approval of the Governor shall appoint a secretary who shall receive such salary as the Secretary of Banking with the approval of the Governor shall determine

The chairman of the Commission shall receive a salary at the rate of [seven thousand five hundred] eight thousand five hundred dollars per annum the other members of the Commission except the Secretary of Banking shall receive salaries at the rate of [seven thousand] eight thousand dollars per annum

Section 6 Sections four hundred forty-one and four hundred forty-two of said act are hereby amended to read as follows

Section 441 Workmen's Compensation Board The Workmen's Compensation Board shall consist of three members of whom the Governor shall designate one as chairman the Secretary of Labor and Industry shall be ex officio a member of the board two members of the board shall be a quorum and no action of the board shall be valid unless it shall have the concurrence of at least two members A vacancy on the board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the board

The Secretary of Labor and Industry with the approval of the Governor shall appoint a secretary to the Workmen's Compensation Board who shall receive such salary as the Secretary of Labor and Industry with the approval of the Governor shall determine

The chairman of the Workmen's Compensation Board shall receive a salary at the rate of [nine thousand] eleven thousand five hundred dollars per annum the other members of the board except the Secretary of Labor and In-

dustry shall receive salaries at the rate of [eight thousand five hundred] eleven thousand dollars per annum

Section 442 Workmen's Compensation Referees There shall be in the Department of Labor and Industry as many Workmen's Compensation Referees as in the judgment of the Governor and of the Secretary of Labor and Industry shall be necessary properly to administer the workmen's compensation laws of the Commonwealth Such referees shall be subject to the direction and control of the Workmen's Compensation Board The board shall assign them to the various workmen's compensation districts and shall prescribe from time to time the duties to be performed by them

Each Workmen's Compensation Referee shall receive a salary at the rate of [five thousand] seven thousand five hundred dollars per annum

Section 7 Article four of said act is hereby amended by adding immediately after section four hundred forty-two a new section to read as follows

Section 442.1 Unemployment Compensation Board of Review The Chairman of the Unemployment Compensation Board of Review shall receive a salary at the rate of eleven thousand five hundred dollars per annum The other members of the board shall receive salaries at the rate of eleven thousand dollars per annum

Section 8 Repealer All acts or parts of acts inconsistent herewith are hereby repealed

Section 9 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 105

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 105.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 399 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call up for consideration at this time the Report of the Committee of Conference on Senate Bill No. 399.

REPORT OF COMMITTEE OF CONFERENCE  
ON SENATE BILL No. 339

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 399, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 399, entitled: "An act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled 'An act relating to nonprofit corporations,\*' prohibiting the use of certain additional words in the corporate name, changing the contents of articles of Young Men's Christian Associations; authorizing the passage of by-laws superseding the charter on purely administrative matters; permitting notice of meetings to be given by advertisement changing certain provisions relating to mergers, consolidations and foreign corporations and repealing an act."

Respectively submit the following bill as our report:

A. J. TALLMAN,  
R. B. MAHANY,  
MAXWELL S. ROSENFELD,  
(Committee on the part of the Senate.)

JOHN H. McKINNEY,  
FRANK A. ORBAN, JR.,  
ALBERT S. READINGER,

(Committee on the part of the House of Representatives.)

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of certain additional words in the corporate name changing the contents of articles of Young Men's Christian Associations authorizing the passage of by-laws superseding the charter on purely administrative matters permitting notice of meeting to be given by advertisement changing certain provisions relating to mergers consolidations and foreign corporations and repealing an act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or

may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 957) is hereby further amended to read as follows

Section 202 The Corporate Name A The corporate name may be in any language but must be expressed in English letters or characters The corporate name shall not imply that the corporation is a governmental agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking the Public Utility Commission or of the Insurance Department and shall not contain the word "bank" "banking" "banker" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" "Commonwealth" "United States" or "Federal" nor shall the corporate name contain the word "college" or "university" when used in such a way as to give the impression that it is an educational institution conforming to the standards and qualifications prescribed by the State Council of Education unless there be submitted a certificate from the State Council of Education certifying that the corporation or proposed corporation is entitled to use such designation Provided however That the word "State" "Commonwealth" "United States" or "Federal" may be used if such use does not imply that the corporation is a governmental agency of the Commonwealth or of the United States.

Section 2 Clause (2) of section two hundred fifteen and section four hundred three of said act are hereby amended to read as follows

Section 215 Young Men's Christian Associations In the case of the incorporation of a Young Men's Christian Association the articles of incorporation shall in addition to the information heretofore required by this article set forth

\* \* \* \* \*

(2) A statement that the proposed corporation is for the improvement of the spiritual mental social and physical condition of young [men] people by the support and maintenance of lecture rooms libraries reading rooms religious and social meetings gymnasiums and such other means and services as may conduce to the accomplishment of that object according to the general rules and regulations of the State Young Men's Christian Association of Pennsylvania

Section 403 Contents of By-laws Subject to the provisions of this act the by-laws contain any provisions for the regulation and management of the affairs of the corporation and may provide penalties for the breach thereof not exceeding twenty dollars, (\$20.00) and may change alter or amend such provisions of the corporate charter as are purely administrative in their nature any limitation contained in any such charter to the contrary notwithstanding

Section 3 Section six hundred four of said act as amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 590) is hereby further amended to read as follows

Section 604 Notice of Meetings of Members Written notice of every meeting of the members shall be given by or at the direction of the person authorized to call the meeting to each member of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act in a particular case Provided That [cemetery companies] such corporations may provide in their by-laws that in lieu of written notice they shall give at least five

(5) days' notice of such meeting by advertising once in one newspaper of general circulation withing the city borough or township where the [cemetery] corporation is located and once in the legal journal published in the county if any [and by posting a copy of the notice at least five (5) days prior to the day named for such meeting on the cemetery gates] In all such cases where [cemetery companies] such corporations provide for notice by publication [and posting] it shall be unnecessary to give written notice of meetings to members of record entitled to vote at meetings and such notice by advertising [and posting] shall be effective as actual and not merely constructive notice of meetings When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 4 Section eight hundred one of said act as amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1294) is hereby further amended to read as follows

Section 801 Merger or Consolidation Authorized A Any two or more domestic nonprofit corporations formed for kindered purposes or any one or more domestic nonprofit corporations and any one or more foreign nonprofit corporations may in the manner hereinafter provided in this article either be merged into one of such [domestic] nonprofit corporations either domestic or foreign hereinafter designated as the surviving corporation or be consolidated into a new domestic or foreign nonprofit corporation provided such foreign nonprofit corporations are authorized by the law or laws of the jurisdiction under which they were formed to effect such merger or consolidation [Such application shall be made to the court of common pleas of the county in which the registered office of the surviving or new corporation is to be located] If a proposed merger or consolidation will result in a surviving domestic corporation or a new domestic corporation such application shall be made to the Court of Common Pleas of the county in which the registered office of such surviving corporation is located or the registered office of such new corporation is to be located If any proposed merger or consolidation will result in a surviving foreign corporation or a new foreign corporation such application shall be made to the Court of Common Pleas of the county in which the registered office of the constituent domestic corporation is located unless there are two or more constituent domestic corporations to such merger or consolidation in which case such application shall be made to the Court of Common Pleas of the county in which the registered office of any one of such constituent domestic corporations is located The merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation have been adopted and filed as provided in this act

Section 5 Sections eight hundred two and eight hundred three of said act are hereby amended to read as follows

Section 802 Approval of Joint Plan of Merger or Consolidation Before the application is made to the court a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and such other details and provisions as are deemed necessary shall be approved by the affirmative vote of at least a majority of the members of each of the merging r consolidating domestic corporations entitled to vote thereon at a regular or special meeting of each domestic corporation convened after at least ten days' written notice to all the members of this purpose If the proposed plan of merger or consolidation would make any change in the rights of the members of any class of a domestic corporation then the members of such class shall be entitled to vote as a class upon such plan whether by the terms of the articles of the corporation such class is or

is not entitled to vote and in addition to the vote herein required the affirmative vote of at least a majority of the members of each class so affected by the plan shall be necessary for the adoption thereof If any foreign corporation is a party to the merger or consolidation the plan of merger or consolidation shall be authorized adopted or approved by such foreign corporation in accordance with the laws of the jurisdiction in which it was formed The fact of such approval shall be certified on the joint plan by the secretary of each corporation and the plan so adopted and certified shall be signed and acknowledged by two duly authorized officers of each corporation

Section 803 Articles of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the [members of the] corporations desiring to merge or consolidate as provided in the preceding section articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation shall be signed and verified by at least two duly authorized officers of each corporation and shall among other things set forth

(1) The name and location of the registered office of the domestic surviving or new corporation or in case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with such state

(2) The time and place of the meeting of the members of each domestic corporation at which the joint plan was adopted the kind and period of notice given to the members and the total vote by which the joint plan was adopted

(2.1) If any foreign corporation is a party to the merger or consolidation the fact that the joint plan was authorized adopted or approved as the case may be by such corporation in accordance with the laws of the jurisdiction in which it was formed

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation if the new corporation be a domestic corporation all of the statements required by this act to be set forth in articles of incorporation in the case of formation of a corporation

(4) The names and addresses of the persons to be directors of the surviving or new corporation until the first regular meeting of its members

(5) The plan of the merger or consolidation

(6) If the surviving or new corporation is to be a foreign corporation a designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of such corporation upon whom may be served all lawful process in any action or proceeding against it for enforcement against it of any obligation of any constituent domestic corporation or any obligation arising from the merger or consolidation proceedings or any action or proceeding to determine and enforce the rights of any member and an agreement that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on such corporation and that the authority for such service of process shall continue in force as long as any of the aforesaid obligations and rights remain outstanding in this Commonwealth

Section 6 Section eight hundred four of said act as amended by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 957) is hereby further amended to read as follows

Section 804 Registration of corporate name If the name of the domestic surviving corporation in the case of a merger or of the domestic new corporation in the case of a consolidation is to be different from the name of either of the constituent corporations the constituent corporations shall make a joint application to the Department of State for the registration of the proposed name The application shall set forth the names and addresses including street and number if any of the registered offices of the constituent corporations the date of incorporation and the act under which each was incorporated and the name which

the surviving or new corporation desires to use and the address including street and number if any of the registered office of the surviving or new corporation. If the Department of State finds that the opposed name is available for corporate use the department shall register the name and shall issue to the corporations or their representatives a certificate that the proposed name has been duly registered. If the proposed name is not available for corporate use the department shall refuse to register such name and shall forthwith notify the corporations or their representatives of this fact. Upon application of any party interested either for or against the proposed merger or consolidation the department shall include in any certificate issued by it under this section any information desired as to the names registered with the department.

Section 7 Sections eight hundred five eight hundred six eight hundred seven eight hundred eight and eight hundred nine of said act are hereby amended to read as follows:

Section 805 Articles of merger or consolidation to be filed with the prothonotary. A copy of the articles of merger or articles of consolidation as the case may be and in the case of a proposed change of the corporate name the certificate from the Department of State relating to the registration of the proposed corporate name shall be filed jointly by the constituent corporations in the office of the prothonotary of the Court of Common Pleas of the county [wherein the registered office of the surviving or new corporation is to be located] to which the application for merger or consolidation is required by this act to be made. The articles and the certificate if any shall remain on file in the office of the prothonotary at least three days prior to the day the application for merger or consolidation will be made to the court as hereinafter provided and shall be open to the inspection of the public during the business hours of such office.

Section 806 Advertisement. The constituent domestic corporations shall jointly advertise their intention to apply to the court for permission to merge or consolidate in newspapers published in the county or counties in which the registered offices of the corporations are located in a manner similar to that heretofore prescribed in this act. In the case of the formation of a nonprofit corporation advertisements shall appear at least three days prior to the day fixed for the presentation of the application to the court and shall set forth briefly:

- (1) The names and location of the registered offices of the constituent corporations.
- (2) The name and location of the proposed registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with such state.
- (3) A statement that the merger or consolidation is to be affected under the provisions of this act.
- (4) A brief summary of the plan of merger or consolidation.
- (5) A statement that the articles of merger or articles of consolidation in the case may be have been filed in the office of the prothonotary and the time when the application will be made to the court.

Section 807 Court to approve or refuse merger or consolidation. On the day specified in the advertisement or as soon thereafter as the matter may be heard the constituent corporations or their representatives shall present and application for the merger or consolidation of such corporations to the court and shall present to the court the articles of merger or articles of consolidation as the case may be a certified copy of the joint plan of merger or consolidation proof of the advertisement required by the proceeding section and in the case of a proposed change of the corporate name a certificate of registration from the Department of State. The court shall consider the application. It may hear evidence on behalf of the applicants and against the application if any there be or it may refer the application to a master to make report as to the propriety of granting the

application in such case. Upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them if the court shall be of the opinion that the proposed merger or consolidation is lawful will be beneficial and not injurious to the community and does not conflict with the requirements of this act the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the recording of the articles and the order the merger or consolidation shall take effect as hereinafter provided in this act. However the court shall not approve articles of merger or articles of consolidation presented by or on behalf of an educational or nonsectarian charitable corporation unless and until the court shall receive the approval or recommendation of the State Council of Education or the Department of Welfare as the case may be in a manner similar to that prescribed by this act in the case of the formation of such corporations.

Section 808 Recording of Articles of Merger or Consolidation. After the court shall have approved the articles of merger or articles of consolidation as required by the preceding section the prothonotary shall transmit the articles approved by the court to the office of the recorder of deeds of the county where they shall be recorded. The laws of the jurisdiction of the surviving corporation shall also be complied with if the surviving corporation is a foreign nonprofit corporation. Upon the recording of the articles the merger or consolidation shall become effective. In case the surviving or new corporation is a domestic corporation the merger or consolidation of one or more domestic corporations into a foreign corporation shall be affective according to the provisions of the law of the jurisdiction in which such such foreign corporation was formed but not until articles of merger or articles of consolidation have been approved by the court and recorded as provided in this act. The articles upon being recorded shall be returned to the prothonotary who shall retain and file them as part of the records of the court and who shall issue a certified copy thereof to the surviving or new corporation as the case may be or its representatives. Certified copies of articles so recorded shall be competent evidence for all purposes in the courts of this Commonwealth. In event any constituent domestic corporation to the merger or consolidation was incorporated in another county the aforesaid prothonotary shall certify in writing to the recorder of deeds of such other county the fact of such merger or consolidation and the recorder of deeds of such other county shall record such certificate.

Section 809 Effect of Merger or Consolidation. Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single corporation which in the case of a merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of the consolidation shall be the new corporation provided for. In the plan of consolidation the separate existence of the corporations parties to the plan of merger or consolidation shall cease except that of the surviving corporation. In the case of a merger the surviving or new corporation as the case may be if it be a domestic corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise all the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation. And all debts due on whatever account to any of them including subscriptions for membership and other choses in action belonging to any of them shall be transferred to and vested in such surviving or new corporation as the case may be. Without further act or deed the surviving or new corporation shall be responsible for all the liabilities and obligations of each of the corporations merger or consolidated but the liabilities of the merging or consolidating corporations or of their members directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired.

by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgement as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place. If in the case of a merger the articles of [incorporation] merger shall set forth any matters with respect to which the articles of incorporation of the surviving domestic corporation are to be amended. The articles of incorporation of such corporation shall be deemed to be amended accordingly upon the recording of the articles of merger and the order of the court in the case of a consolidation resulting in a new domestic corporation. The articles of consolidation shall be deemed to be the articles of incorporation of [the] such new corporation. Any devise bequest gift or grant contained in any will or other instrument in trust or otherwise made before or after such merger or consolidation to or for any of the constituent corporations shall inure to the surviving or new consolidated corporation as the case may be.

Section 8 Clause (6) of section nine hundred four of said act is hereby amended to read as follows:

Section 904 Application for a Certificate of Authority. The foreign nonprofit corporation or its representative shall deliver to the Department of State a copy of its articles and all amendments thereto duly certified by the proper public officer of the state or country of its incorporation or if the corporation is created by a special law and has no articles a duly certified copy of such law a verified translation of any part of such articles amendments or law which is in a foreign language proof of the advertisement heretofore required by this article and an application for a certificate of authority executed under the seal of the corporation and signed and verified by at least two duly authorized officers thereof which shall set forth

\* \* \* \* \*

(6) [The character and nature] A brief statement of the business it proposes to do within this Commonwealth.

Section 9 The act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1045) entitled "An act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to change alter and amend by-law such provisions of their charters as are purely administrative and validating such changes alterations and amendments heretofore made" is hereby repealed.

Section 10 The provisions of this act shall become effective immediately upon final enactment.

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 399

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 399.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Wade,
Blass,	Holland,	Peelor,	Wagner,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	

Farrell,  
Frazier,

Mallery,  
McPherson, Jr.,

Tallman,

Yosko,

#### NAYS—1

Toole,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 400 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call up for consideration at this time the Report of the Committee of Conference on Senate Bill No. 400.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 400

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 400, as follows:

#### Report of the Committee of Conference on Senate Bill No. 400

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 400, entitled: "An act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled 'An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; \*\*\*,' by changing the requirements of and effect of notice to shareholders in certain cases; further limiting the use of certain words in corporate names; defining the term of office of the first directors; changing provisions relating to the inception of corporate existence or authority to do business; changing the requirements of contents of articles of incorporation and application for certificates of authority; providing for indemnification of directors and officers and other persons of certain expenses; making certain changes relating to officers, assistant officers and agents; the determination of shareholders of record; cancellation of acquired shares; advertising in connection with articles of amendment; issuance and redemption of shares; amendment of articles of incorporation; merger and consolidation, \*\*\*,"

Respectfully submit the following bill as our report:

D. J. TALLMAN,  
R. B. MAHANY,  
MAXWELL S. ROSENFELD,  
(Committee on the Part of the Senate.)

JOHN H. MCKINNEY,  
FRANK A. ORBAN, JR.  
ALBERT S. READINGER,  
(Committee on the Part of the House of Representatives.)

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to

do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing the requirement of and effect of notice to shareholders in certain cases further limiting the use of certain words in corporate names defining the terms of office of the first directors changing provisions relating to the inception of corporate existence or authority to do business changing the requirements of contents of articles of incorporation and application for certificates of authority providing for indemnification of directors and officers and other persons of certain expenses making certain changes relating to officers assistant officers and agents the determination of shareholders of record cancellation of acquired shares advertising in connection with articles of amendment issuance and redemption of shares amendment of articles of incorporation merger and consolidation providing for the domestication of foreign corporations and eliminating the filing of affidavit of paid-in capital and clearance certificates in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled 'An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations' is hereby amended by adding at the end thereof two new subsections to read as follows

#### Section 8 Notice of Meetings

\* \* \* \* \*

d Whenever the language of a proposed resolution is included in a written notice of a meeting of shareholders of a business corporations the shareholders' meeting considering the resolution may adopt it with such clarifying or other amendments as do not enlarge its original purpose without further notice to shareholders not present in person or by proxy

E Whenever by this act written notice is required to be given to shareholders of a business corporation of a proposal to be considered at a meeting of shareholders such notice unless waived shall be given at least sixty days before such meeting in any case where the proposal would increase either the aggregate par value of shares of all classes having par value which the corporation is authorized to issue or the aggregate number of shares of all classes without par value which the corporation is authorized to issue provided however that this subsection shall not apply to (1) an increase by virtue of which issued shares of a corporation are changed into a greater equal or smaller number of shares of the same or a different class or classes whether with or without par value and if with par value whether with a greater equal or smaller aggregate par value through the issuance of dividends in shares of the corporation or otherwise provided that if the stated capital applicable to such issued shares is thereby increased surplus equal to the amount

of such increase is at or before such increase transferred to stated capital (2) a change of unissued shares with par value into an equal or smaller number of shares without par value or (3) a change of unissued shares without par value into an equal or smaller number of shares with par value

Section 2 Subsection A of section two hundred two of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 937) is hereby further amended to read as follows

Section 202 The Corporate Name A The corporate name may be in any language but must be expressed in English letters or characters and shall contain the word "corporation" "company" or "incorporated" or an abbreviation thereof except that the word "company" or the abbreviation "Co" may not be used where that word or abbreviation is immediately preceded by the word "and" or any symbol or substitute therefor unless the word "incorporated" or any abbreviation thereof immediately follows the word "company" or the abbreviation "Co" The corporate name shall not imply that the corporation is a governmental agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking the Public Utility Commission or of the Insurance Department and shall not contain the word "bank" "banking" "bankers" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "benevolent" "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "co-operative" "State" "Commonwealth" "United States" or "Federal" except where the use of such words by ordinary and common interpretation could not imply that the corporation is a governmental agency of the Commonwealth or of the United States or is subject to the supervisions of the Department of Banking the Public Utility Commission or of the Insurance Department nor shall the corporate name contain the word "college" or "university" when used in such a way as to give the impression that it is an educational institution conforming to the standards and qualifications prescribed by the State Council of Education unless there be submitted a certificate from the State Council of Education certifying that the corporation or proposed corporation is entitled to use such designation [Provided however That the word "State" "Commonwealth" "United States" or "Federal" may be used if such does not imply that the corporation is a governmental agency of the Commonwealth or of the United States]

Section 3 Clauses (3) (8) and (9) of section two hundred four section two hundred five section two hundred seven subsection a of section two hundred eight and section two hundred ten of said act are hereby amended to read as follows

Section 204 Articles of Incorporation Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least two of them before any officer within or without this Commonwealth authorized to take acknowledgments and shall set forth in the English language

\* \* \* \* \*

(3) A [precise and accurate] statement of the purpose or purposes for which the corporation is organized and that it is organized under the provisions of this act

\* \* \* \* \*

(8) The [amount of paid-in capital] value of property with which the corporation will begin business [which shall not be less than five hundred dollars (\$500) in cash]

(9) The names of the first directors their post office addresses [and their terms of office] including street and number if any who shall serve until the first annual meeting

Section 205 Advertisement The incorporators shall advertise their intention to file articles of incorporation with the department of state one time in two newspapers published in the English language one of which shall

be a newspaper of general circulation and the other the legal newspaper if any designated by the rules of the court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the initial registered office of the corporation is to be located where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient Advertisements shall appear at last three days prior to the day the articles of incorporation are filed with the Department of State and shall set forth briefly

- (1) The name of the proposed corporation
- (2) A statement that the proposed corporation is to be organized under the provisions of this act
- (3) The purpose or purposes of the proposed corporation [and]
- (4) The time when the articles will be filed with the Department of State

Section 207 Effect of [Issuance] Approval of [Certificate] articles of Incorporation Upon the [issuance] approval of the [certificate] articles of incorporation by the Department of State the corporate existence shall begin and those persons who subscribe for shares prior to the [issuance of the certificate] approval of the articles of incorporation or their assignees shall be shareholders in the corporation The certificate of incorporation shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

Section 208 Conditions Precedent to Beginning Business Penalty for Violation of Section A A corporation formed under this act shall not incur any indebtedness or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscriptions to or the payment for its shares until

[(1) The amount of capital] the value of property with which it will begin business as stated in the articles has been fully paid [and] or received

[(2) There has been filed with Department of State an affidavit signed by at least a majority of the board of directors stating that the amount of capital with which it will commence business as stated in the articles has been fully paid in]

Section 210 Organization Meetings After the [issuance] approval of the [certificate] articles of incorporation the first meeting of the shareholders shall be held within or without this Commonwealth at the call of the shareholders who were the incorporators or a majority of them for the purpose of adopting by-laws unless the articles provide that by-laws shall be adopted by the board of directors and for such other purposes as shall be stated in the notice of the meeting The persons calling the meeting shall give to each shareholder at least ten days, written notice of the time place and purpose or purposes of the meeting

After the [issuance] approval of the [certificate] articles of incorporation an organization meeting of the board of directors named in the articles shall be held either within or without this Commonwealth at the call of a majority of the directors for the purpose of adopting by-laws if the articles authorize the directors to adopt by-laws of electing officers and of transacting such other business as may come before the meeting The directors calling the meeting shall give at least five days' written notice to each director named in the articles of the time and place of the meeting

Section 4 Section four hundred one of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 401 Board of Directors The business and affairs of every business corporation shall be managed by a board of at least three directors who shall be natural persons of full age and who need not be residents of this

Commonwealth or shareholders in the corporation unless the articles or by-laws so require. Each director shall hold office for the term for which he is elected and until his successor shall have been elected and qualified The names [and terms of office] of the first directors their post office addresses including street and number if any who shall serve until the first annual meeting shall be stated in the articles Except as hereinafter provided in this article in the case of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders A business corporation may allow compensation to its directors for their services and a director may also be a salaried officer of the corporation

Section 5 Sections four hundred two and four hundred three of said act are hereby amended to read as follows

Section 402 Number Qualifications and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

(1) A director shall be elected for a term of at least one year except that the first directors shall serve only until the first annual meeting

(2) The number of directors shall be the same as that stated in the articles

(3) Vacancies in the board of directors shall be filled by a majority of the remaining members of the board though less than a quorum and each person so elected shall be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto

(4) The meetings of the board of directors may be held at such place within this Commonwealth or elsewhere as a majority of the directors may from time to time appoint or as may be designated in the notice calling the meeting

(5) A majority of the directors in office shall be necessary to constitute a quorum for the transaction of business and the acts of a majority of the directors present at a meeting at which a quorum is present shall be the acts of the board of directors Provided That if all the directors shall severally or collectively consent in writing to any action to be taken by the corporation such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors

(6) The board of directors may by resolution adopted by a majority of the whole board delegate two or more of its number to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board of directors in the management of the business of the corporation

Section 403 Classification of Directors If the articles or by-laws of a business corporation so provide the directors of the corporation may be classified in respect to the time for which they shall severally hold office except that the first directors shall serve only until the first annual meeting. In such case each class shall be as nearly equal in number as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than four years

Section 6 Section four hundred six of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 406 Officers and Agents Every business corporation shall have a president a secretary and a treasurer and may have such other officers and assistant officers and agents as it shall authorize from time to time The articles or by-laws may prescribe special qualifications for such officers. The president and secretary shall be natural persons of full age The treasurer however may be a corporation but if a natural person shall be of full age [The officers assistant officers and agents shall be elected or appointed either by the board of directors or by the shareholders at such time in such manner and for such

terms and compensation as the by-laws may prescribe. Unless the articles or by-laws provide otherwise the board of directors shall elect or appoint and fix the compensation of such officers assistant officers and agents. Such officers assistant officers and agents shall be elected or appointed at such time in such manner and for such terms as the by-laws shall prescribe. It shall not be necessary for the officers to be directors. If the by-laws so provide any two or more offices may be held by the same person except the offices of president and secretary. The board of directors may secure the fidelity of any or all of such officers by bond or otherwise. Unless otherwise provided in the by-laws the board of directors shall have power to fill any vacancies in any office occurring from whatever reason. All officers and agents of the corporation as between themselves and the corporation shall respectively have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the board of directors.

Section 7 Article four of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 410 Indemnification of Directors Officers and Other Persons Unless the articles provided otherwise a business corporation shall have power to indemnify any and all of its directors or officers or former directors or officers or any person who may have served at its request as a director or officer of another corporation in which it owns share of capital stock or of which it is a creditor against expenses actually and necessarily incurred by them in connection with the defense of any action suit or proceeding in which they or any of them are made parties or a party by reason of being or having been directors or officers or a director or officer of the corporation or of such other corporation except in relation to matters as to which any such director or officer or former director or officer or person shall be adjudged in such action suit or proceeding to be liable for negligence or misconduct in the performance of duty. Such indemnification shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any by-law agreement vote of shareholders or otherwise.

Section 8 Section five hundred eight of said act is hereby amended to read as follows

Section 508 Voting Shares Held By Corporation [a] Any corporation owning shares in another corporation may vote the same by [its president] any of its officers or by proxy appointed by [him] any such officer unless some other persons by resolution of its board of directors shall be appointed [to vote such shares] its general or special proxy in which case such person shall be entitled to vote the shares [upon the production of a certified copy of such resolution] Shares of its own capital stock belonging to a corporation shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares for voting purposes at any given time but shares of its own capital stock held by it in a fiduciary capacity may be voted and shall be counted in determining the total number of outstanding shares at any given time.

Section 9 Section five hundred nine of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 509 Determination of shareholders of record unless the by-laws otherwise provide the board of directors may fix a time not less than ten or more than seventy days prior to the date of any meeting of shareholders or the date fixed for the payment of any dividend or distribution or the date for the allotment of rights or the date when any change or conversion or exchange of shares will be made or go into effect as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting or entitled to receive payment of any such dividend or distribution or to receive any such allotment of rights or to exercise the rights in

respect to any such change conversion or exchange of shares. In such case only such shareholders as shall be shareholders of record on the date so fixed shall be entitled to notice of and to vote at such meeting or to receive payment of such dividends or to receive such allotment of rights or to exercise such rights as the case may be notwithstanding any transfer of any shares on the books of the corporation after any record date fixed as aforesaid. The board of directors may close the books of the corporation against transfers of shares during the whole or any part of such period and in such case written or printed notice thereof shall be mailed at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the corporation or supplied by him to the corporation for the purpose of notice. While the stock transfer books of the corporation are closed no transfer of shares shall be made thereon. Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of or vote at a shareholders' meeting Transferees of shares which are transferred on the books of the corporation within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting.

Section 10 Section five hundred thirteen of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1123) is hereby further amended to read as follows

Section 513 Informed action by shareholders except for the action required by subsection E of section eight or section three hundred nine of this act to be taken at a meeting of shareholders held after sixty days' notice [for increasing the authorized capital stock or indebtedness of a corporation] any action required by this act to be taken at a meeting of the shareholders of a corporation may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the corporation.

Section 11 Sections six hundred one and subsection B of section six hundred two of said act are hereby amended to read as follows

Section 601 Classes of Shares Every business corporation shall have power to create and issue one or more classes or kinds of shares any or all of which classes or kinds may consist of shares with par value or shares without par value with full limited or no voting rights and with such designations preferences qualifications privileges limitations options conversion rights and other special rights as shall be stated or authorized in the articles. Any shares subject to redemption shall be redeemable only pro rata or by lot or by such other equitable method as is selected by the board of directors. Shares of a business corporation shall be deemed personal property. Except as otherwise provided by the articles each share shall be in all respects equal to every other share. Unless the articles or by-laws otherwise provided the board of directors shall have the power by resolution duly adopted to issue from time to time in whole or in part the kinds of classes of shares authorized in the articles. The power to increase or decrease or otherwise adjust the stated capital of a corporation as in this act elsewhere provided shall apply to all or any such classes or kinds of shares authorized by this section.

Section 602 Issuance of Certain Shares in Series

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B If the articles shall expressly vest authority in the board of directors then to the extent that the articles shall not have established series and fixed and determined the variations in the relative rights and preferences as between series the board of directors shall have authority by resolution to divide any or all of such classes into series and within the limitations set forth in this section fix and determine the relative rights and preferences of any series so established and to change redeemed or reacquired shares of one series thereof into shares of another series. Such authority of the board of directors shall be

subject to such limitations if any as are stated in the articles and shall always be subject to the limitation that the board of directors shall not create a sinking fund in respect of any series unless provision for a sinking fund at least as beneficial to all issued and outstanding shares of the same class shall either then exist or be at the same time created

Section 12 Subsection C of section seven hundred five and subsection C of section seven hundred six of said act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) are hereby further amended to read as follows

#### Section 705 Redemption and Cancellation of Shares

C The statement shall be delivered to the Department of State either prior to or within thirty days after the date of such redemption and cancellation [together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law] If the Department of State finds that the statement conforms to law [and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form] it shall upon payment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement The filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

#### Section 706 Reduction of Stated Capital Without Change in Share Structure

C The statement shall be delivered to the Department of State [together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law] If the Department of State finds that such statement conforms to law [and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form] it shall upon payment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement Upon the filing of such statement the reduction shall be effective

Section 13 Article seven of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 708 Cancellation of shares acquired by corporation  
A Whenever any business corporation shall have acquired any shares of any class of its own capital stock either pursuant to the power granted it by subdivision (7) of section 302 of this act or by the surrender of such shares to the corporation on the conversion thereof into or the exchange thereof for other shares pursuant to its articles of incorporation it may by resolution of its board of directors cancel any or all of such shares if the resolution so provides such corporation may thereby reduce the number of shares of the class so cancelled which the corporation is authorized to issue by the number of shares so cancelled if the articles of incorporation prohibit the reissue of such shares such resolution shall so provide such corporation may apply to such cancellation an amount out of its stated capital which shall not be greater than that portion of the stated capital represented by such shares at the time of such cancellation and the stated capital of the corporation shall be deemed to be reduced to this extent

B In every such case a statement of cancellation shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation and the address of its registered office

(2) The aggregate number of shares which the corporation had authority to issue itemized by classes and series

(3) The number of shares cancelled itemized by classes and series

(4) A copy of the resolution of the board of directors directing such cancellation which shall recite either the provision of the articles of incorporation prohibiting the reissue of such shares or the absence of such provisions

(5) The number of shares which the corporation has authority to issue itemized by classes and series after giving effect to such cancellation

(6) A statement of the aggregate number of issued shares itemized by classes par value of shares shares without par value and series if any within a class after giving effect to such cancellation

(7) A statement expressed in dollars of the amount of stated capital and the amount of the paid-in surplus of the corporation after giving effect to such cancellation

(8) Either a statement that at the time or times when the shares cancelled were acquired by the corporation the net assets of the corporation were not less than its stated capital and that their acquisition did not reduce its net assets below its stated capital or a statement that the cancelled shares were surrendered to the corporation on the conversion thereof into or the exchange thereof for other shares pursuant to its articles of incorporation

c The statement shall be delivered to the Department of State within thirty days after the adoption of the resolution aforesaid If the Department of State finds that the statement conforms to law it shall endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement If the resolution aforesaid provided for a reduction in the number of shares which the corporation is authorized to issue the filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so cancelled which the corporation is authorized to issue by the number of shares so cancelled otherwise the shares so cancelled shall upon such filing have the status of authorized but unissued shares Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

Section 14 Sections eight hundred one and eight hundred two of said act are hereby amended to read as follows

Section 801 Amendment of Articles Authorized A business corporation in the manner hereinafter provided in this article may from time to time amend its articles

(1) To adopt a new name subject to the restrictions heretofore provided in this act

(2) To modify any provision thereof limiting its term of existence by increasing such term or to remove such provision and provide for perpetual existence

(3) To change add to or diminish its powers or purposes or to set forth different or additional powers or purposes

(4) To increase or diminish its authorized capital stock or to reclassify the same by changing the number par value designations preferences or relative participating optional or other special rights of the shares or the qualifications limitations or restrictions of such rights or by changing shares with par value into shares without par value or shares without par value into shares with par value either with or without increasing or decreasing the number of shares [and in any and as many other respects as desired provided that the articles as so amended would be authorized by this act as original articles of incorporation]

(5) In any and as many other respects as desired provided that the articles as so amended would be authorized by this act as original articles of incorporation

Section 802 Proposal of Amendments Every amendment to the articles shall [first] be proposed by either the board of directors by the adoption of a resolution setting forth the proposed amendment [and directing] or by petition of the holders of not less than ten per cent of the

shares entitled to vote thereon setting forth the proposed amendment which petition shall be directed to and filed with the board of directors. In either case the board of directors shall direct that it be submitted to a vote of the shareholders entitled to vote hereon at a designated meeting which may be either an annual meeting of the shareholders or a special meeting of the shareholders entitled to vote on the amendment. The resolution or petition shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution or petition be added to or stricken from the articles.

Section 15 Section eight hundred three of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P L. 2828) is hereby further amended to read as follows

Section 803 Notice of shareholders' meetings Written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering proposed amendments be given to each shareholder of record except [the written notice of any proposed amendment for increasing the authorized capital stock of the corporation (where such increase will involve an increase in the stated capital or paid-in surplus or both) shall be given to each shareholder of record at least sixty days before such meeting] that such notice shall be given sixty days before meetings called to consider proposals sixty days' notice of which is required by section eight E of this act such notice shall set forth the proposed amendment or a summary of the changes to be effected thereby

Section 16 Section eight hundred six of said act is hereby amended to read as follows

Section 806 Articles of amendment after an amendment has been adopted by the shareholders articles of amendment shall be executed under the seal of the corporation and verified by two duly authorized officers of the corporation and shall set forth

(1) The name and location of the registered office of the corporation

(2) The act of assembly under which the corporation was formed and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the shareholders of the corporation at which the amendment was adopted and the kind and period of notice given to the shareholders.

(4) The number of shares outstanding the number of shares entitled to vote on the amendment and if the shares of any class are entitled to vote as a class then the number of shares of each class and the number of shares of all other classes entitled to vote thereon

(5) The number of shares voted for and against such amendment respectively and if shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against such amendment respectively

(6) The amendment adopted by the shareholders which shall be set forth in full

(7) If the total number of shares is to be increased or decreased the total number of shares including those previously authorized which the corporation will thenceforth be authorized to have the number of shares that have a par value thereof and the number of shares that have no par value and if shares are divided into more than one class A description of the classes and a statement of the number of shares in each class and of the relative rights voting powers preferences and restrictions granted to or imposed upon the shares of each class

Section 17 Section eight hundred seven of said act as amended by the act approved the second day of May one thousand nine hundred forty-seven (Pamphlet Laws 137) is hereby further amended to read as follows

Section 807 Advertisement Before or after an amendment has been adopted by the shareholders the corpora-

tion shall advertise its intention to file articles of amendment with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation advertisements shall appear at least three days prior to the day upon which the articles of amendments are presented to the Department of State and shall set forth briefly

(1) The name and location of the registered office of the corporation

(2) A statement that the articles of amendment are to be filed under the provisions of this act

(3) The nature and character of the proposed amendment

(4) The time when the articles of amendment will be filed with the Department of State

Section 18 Sections eight hundred nine nine hundred two and nine hundred three of said act are hereby amended to read as follows

Section 809 Effective Date of Amendment Upon the [issuance] approval of the [certificate] articles of amendment by the Department of State the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly. The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth. No amendment shall affect any existing cause of action in favor of or against the corporation or any pending suit in which the corporation shall be a party or the existing rights of persons other than shareholders and in the event the corporate name shall be changed by the amendment no suit brought by or against the corporation under its former name shall be abated for that reason

Section 902 Approval of Joint Plan of Merger or Consolidation A The board of directors of each of the domestic corporations which desire to merge or consolidate shall be resolution adopted by at least a majority vote of all the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and mode of carrying the same into effect the manner and basis of converting the shares of each corporation into shares or other securities or obligations of the surviving or new corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each domestic corporation upon approving such plan of merger or plan of consolidation shall by resolution direct that the plan be submitted to a vote of the shareholders of such corporation entitled to vote thereon at an annual or special meeting of the shareholders. Written notice shall not less than ten days before such annual or special meeting be given to each shareholder of record of such corporation whether or not entitled to vote on such plan unless the plan of merger or plan of consolidation contemplates an increase in the aggregate of the authorized capital stock of the constituent corporations in which event sixty days' notice of such meeting shall be given to each shareholder. The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice

C The plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least the majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating domestic corporations unless any class of shares of any of such corporations is entitled to vote thereon as a class in which event as to such corporation the plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote thereon as a class and the affirmative vote of the holders of at least a majority of all outstanding shares entitled to vote thereon

D The plan of merger or consolidation shall be authorized adopted or approved by each of the foreign corpora-

tions which desire to merge or consolidate in accordance with the laws of the jurisdiction in which it was formed.

Section 903 Articles of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the [shareholders of the] corporations desiring to merge or consolidate as provided in the preceding section articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation signed and verified by two duly authorized officers of each corporation and shall set forth

(1) The names and the location of the registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with such state

(2) The time and place of the meeting of the shareholders of each domestic corporation at which the plan of merger or consolidation as the case may be was adopted the kind and period of notice given to the shareholders and the total vote by which the plan was adopted

(2.1) The fact that the plan of merger or consolidation was authorized adopted or approved as the case may be by each of the foreign corporations in accordance with the laws of the jurisdiction in which it was formed

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation if the new corporation be A domestic corporation all of the statements required by this act to be set forth in original articles in the case of the formation of a corporation

(4) The number names and addresses of the persons to be the first directors of the surviving or new corporation

(5) The plan of merger or consolidation

(6) If the surviving or new corporation is to be a foreign corporation a designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of such corporation upon whom may be served all lawful process in any action or proceeding against it for enforcement against it of any obligation of any constituent domestic corporation or any obligation arising from the merger or consolidation proceedings or any action or proceeding to determine and enforce the rights of any shareholder under the provisions of section nine hundred eight of this act and an agreement that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on such corporation and that the authority for such service of process shall continue in force as long as any of the aforesaid obligations and rights remain outstanding in this Commonwealth

Section 19 Section nine hundred four of said act as last amended by the act approved the second day of May one thousand nine hundred forty-seven (Pamphlet Laws 141) is hereby further amended to read as follows

Section 904 Advertisement [Each] The constituent [corporation subject to the provisions of this act] domestic corporations shall advertise [its intention] their intentions to file articles of merger or articles of consolidation as the case may be with the Department of State in newspapers published in the counties in which the registered offices of the corporations are located in a manner similar to that heretofore proscribed in this act in the case of the formation of a business corporation Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

(1) The name and the location of the registered office of each of the corporations intending to merge or consolidate

(2) The name and the location of the proposed registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with the state

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new corporation

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 20 Section nine hundred five of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (Pamphlet Laws 636) is hereby further amended to read as follows

Section 905 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State except that no such certificates shall be required of the surviving corporation in cases of merger If the Department of State finds that such articles conform to law and that the certificate or certificates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and file the articles and issue to the surviving or new corporation or its representative a certificate of merger or a certificate of consolidation as the case may be to which shall be attached a copy of the approved articles

Section 21 Sections nine hundred six and nine hundred seven of said act are hereby amended to read as follows

Section 906 Effective Date of Merger or Consolidation Upon the [issuance] approval of the [certificate] articles or merger or the [certificate] articles of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving corporation except as against the Commonwealth The merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation have been adopted and filed as heretofore provided in this act

Section 907 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single corporation which in the case of a merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of a consolidation shall be the new corporation provided for in the plan of consolidation The separate existence of all corporations parties to the plan of merger or consolidation shall cease except that of the surviving corporation in the case of a merger The surviving or new corporation as the case may be if it be a domestic corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions to shares and other choses in action belonging to any of them shall be taken and deemed to be transferred to and vested in the surviving or new corporation as the case may be without further act or deed The surviving or new corporation shall thenceforth be responsible for all the liabilities and obligations of each of the corporations so merged or consolidated but the liabilities of the merging or consolidating corporations or of their shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceed-

ing pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place. In the case of a merger the articles of incorporation of the surviving corporation shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements which are set forth in the articles of consolidation and if the new corporation be a domestic corporation which are required or permitted to be set forth in the articles of incorporation of corporations formed under this act shall be deemed to be the articles of incorporation of the new corporation. The aggregate amount of the net assets of the merging or consolidating corporations which was available for the payment of dividends immediately prior to such merger or consolidation to the extent that the value thereof is not transferred to stated capital by the issuance of shares or otherwise shall continue to be available for the payment of dividends by such surviving or new corporation.

Section 22 Subsections A and B of section nine hundred eight of said act as amended by the act approved the thirty-first day of March one thousand nine hundred forty-one (P. L. 13) are hereby further amended to read as follows:

Section 908 Rights of Dissenting Shareholders A If any shareholder of a domestic corporation which becomes a party to a plan of merger or consolidation shall file with such corporation prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall also make written demand on the surviving or new corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new corporation shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates representing his shares. The demand of the shareholders shall state the number and class of the shares owned by him. Unless a shareholder files such written objection and also makes such demand within the twenty-day period he shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof. If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon between the dissenting shareholder and the surviving or new corporation payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or certificates representing his shares. Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the corporation.

B If within such period of thirty days the shareholder and the surviving or new corporation do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the surviving or new corporation is situated if it be a domestic corporation or if it be a foreign corporation to the court of common pleas in equity within the county in which was situated the registered office of the corporation of which such petitioner was a shareholder which shall be deemed to be the county in which the cause of action of such petitioner arose and all process in such proceeding shall be served upon the surviving or new foreign corporation as provided in section one thousand eleven of this act for the appointment by the court of three disinterested persons to appraise the fair value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consoli-

ation. The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive. The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the surviving or new corporation unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court. The award shall be payable only upon and simultaneously with the surrender to the surviving or new corporation of the share certificate or certificates representing the shares of the dissenting shareholder. If the award shall not be paid by the surviving or new corporation within thirty days after the order of the court thereon the amount of the award shall be a judgment against the surviving or new corporation as the case may be and may be collected as other judgments in such court are by law collectible. Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new corporation. Such shares may be held and disposed of by the surviving or new corporation as it may see fit. Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof.

Section 23 Article nine of said act is hereby amended by adding at the end thereof a new section to read as follows:

Section 909 Domestication of Foreign Corporations A Any foreign business corporation holding a certificate of authority to do business in this Commonwealth may become a domestic corporation of this Commonwealth by delivering or causing to be delivered to the Department of State articles of domestication. If the Department of State finds that the articles conform to law it shall forthwith endorse its approval thereon and when all bonus fees and charges have been paid as required by law shall file the articles and issue to the foreign corporation a certificate of domestication to which shall be attached a copy of the articles. The articles upon being approved and filed by the Department of State shall constitute the charter of the domesticated foreign corporation and it shall thereafter have all the powers and privileges and be subject to all the duties and limitations granted and imposed upon domestic corporations under the provisions of this act.

B If such articles are for the domestication of a foreign business corporation for the transaction of any business in which a corporation may not engage without the approval of or a license from any department board or commission of the Commonwealth the Department of State shall upon the approval of the certificate of domestication promptly certify the fact of such domestication to each such department board or commission setting forth the name of the corporation and post office address of the initial registered office in this Commonwealth the date of approval of the certificate of domestication the purpose or purposes for which the corporation is organized and the names and addresses of the then officers of such corporation.

C The articles of domestication shall be signed and acknowledged by the president of the corporation attested by its secretary with its corporate seal thereto affixed and shall set forth in the English language:

(1) The name of the corporation unless the name is in a foreign language in which case it shall set forth in English letters or characters.

(2) The location and post office address of its initial registered office in this Commonwealth.

(3) A statement of the purpose or purposes for which the corporation was organized and that upon domestication it will be subject to the provisions of this act.

(4) The term for which it was originally incorpor-

ated and the term for which upon domestication it is to exist which may be perpetual

(5) The aggregate number of shares which the corporation under its foreign charter is authorized to issue the number of shares issued and outstanding thereof and the par value of each of the shares or a statement that all of the shares are without par value or if such shares are divided into classes the number of shares if any that have a par value and the par value of each share of each such class the number of shares of each class if any that are without par value and the number of shares issued and outstanding of each such class

(6) If the shares are divided into classes a description of each class and a statement of the preferences qualifications limitations restrictions and the special or relative rights granted to or imposed upon the shares of each class

(7) If the corporation is authorized to issue the shares of any preferred or special class in series a description of each series and a statement of the variations in the relative rights and preferences as between different series in so far as the same are fixed in the original articles of incorporation and a statement of any authority vested in the board of directors to establish series and fix and determine the variations in the relative rights and preferences as between series

(8) The value of property with which the corporation will begin business upon domestication

(9) The names of the present directors and their post office addresses including street and number if any

(10) The names and post office addresses including street and number if any of the present officers

(11) A statement of the legislation under which it was originally incorporated

Said articles shall be accompanied by a resolution duly certified by the secretary of the corporation adopted by a majority of the stockholders entitled to vote at any regular or special meeting of the corporation consenting to the filing of the articles of domestication and the renunciation of its original charter or articles

Section 24 Clause (7) of section one thousand four of said act is hereby amended to read as follows

Section 1004 Application for a Certificate of Authority The foreign business corporation or its representative shall deliver to the Department of State a copy of its articles and all amendments thereto duly certified by the proper public officer of the state or country of its incorporation or if the corporation is created by a special law and has no articles a duly certified copy of such law a verified translation of any part of such articles amendments or law which is in a foreign language proof of the advertisement heretofore required by this article and an application for a certificate of authority executed under the seal of the corporation and signed and verified by at least two duly authorized officers thereof which shall set forth

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(7) [The character and nature of the business it proposes to do within this Commonwealth] A brief statement of the business it proposes to do within this Commonwealth

Section 25 Section one thousand five of said act as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows:

Section 1005 Issuance of Certificate of Authority A If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall forthwith but not prior to the day specified in the advertisement heretofore required in this article endorse its approval upon the application for a certificate of authority and when all bonus fees and charges have been paid as required by law shall file the application and the copy of the articles and shall issue to the corporation a certificate of authority to do business in this Commonwealth The

certificate of authority shall set forth the name of the corporation the address of its registered office in this Commonwealth and the character and nature of the business it is authorized to transact in this Commonwealth or a summary thereof Upon the [issuance] approval of the application for a certificate of authority by the Department of State the corporation may do in this Commonwealth any or all of the kinds of the business referred to in the certificate of authority and no other subject however to the right of the Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be delivered to the corporation or its representative

B If the applicant corporation desires to transact any business in which a corporation may not engage without the approval of or license from any department board or commission of the Commonwealth the Department of State shall upon the [issuance] approval of the application for a certificate of authority promptly certify the fact of [the] such [issuance] approval [of such certificate of authority] to each such department board or commission setting forth the name of the corporation the name of the state or country under the laws of which it is formed the address of the proposed registered office in this Commonwealth the general character of the business it proposes to transact within Pennsylvania and the date of [issuance] approval of the application for a certificate of authority

Section 26 Subsections A and C of section one thousand seven of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 937) are hereby further amended to read as follows

#### Section 1007 Amended Certificate of Authority

A After receiving a certificate of authority a foreign business corporation may subject to the provisions of this act change its name or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority together with a copy of the amendment merger or change of name duly authenticated by the proper official of the state or country under the laws of which such corporation is organized and proof of the advertisement hereinafter required by this section [and a certificate or certificates from the proper department or departments of this Commonwealth evidencing payment by the corporation of all bonus taxes and charges as required by law] Such application shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof and shall set forth the changes desired by the corporation

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C If the Department of State finds that the provisions of this article have been complied with [that the certificate evidencing payment of bonus taxes and charges is in proper form] and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application and file the application and issue to the applicant corporation an amended certificate of authority setting forth the desired changes

Section 27 Section one thousand nine of said act as amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 937) is hereby further amended to read as follows

Section 1009 Merger or Consolidation of Foreign Business Corporations A Whenever a foreign business corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party to a statutory merger or consolidation permitted by the laws of the state or country under which it is organized and such corporation shall be the surviving corporation it shall forthwith file with the Department of State a copy of the articles of merger duly authenticated by the proper officer of the state or County under the laws of which such statutory merger was affected and pay to the Depart-

ment of State the prescribed fee for such filing It shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this Commonwealth unless the name of such corporation be changed thereby or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth

Section 28 Section one thousand eleven point one of said act as added by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 703) is hereby amended to read as follows

Section 1011.1 Subpoena to Foreign Corporations to Produce Records Service Any Court having civil or criminal jurisdiction in any county of the Commonwealth may issue its subpoena with clause of duces tecum upon any foreign corporation registered to do business within the Commonwealth under this act directing such foreign corporation its proper officers agents or employees to produce before such court having jurisdiction any books papers records or documents in the possession of such foreign corporation as shall be designated in such subpoena Such subpoena with clause of duces tecum may be served upon such foreign corporation in the manner provided by this act for the service of process upon foreign corporations

Section 29 Section one thousand one hundred one of said act as last amended by the act approved the second day of May one thousand nine hundred forty-seven (P. L. 139) is hereby further amended to read as follows

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business or which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of the corporation signed and verified by a majority of the incorporators and shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of its registered office
- (3) The date of its incorporation
- (4) That the corporation has not commenced business and that none of its shares has been issued
- (5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto
- (6) That no debts of the corporation remain unpaid
- (7) That all the incorporators elect that the corporation be dissolved

The articles of dissolution shall be delivered to the Department of State If the Department of State finds that the articles conform to law it shall upon payment of the filing fee endorse its approval thereon and shall file the articles and issue a certificate of dissolution to the incorporators or their representative to which shall be attached a copy of the approved articles Upon the [issuance of the certificate] approval of the articles of dissolution the existence of the corporation shall cease

Section 30 Section one thousand one hundred five of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provisions shall have been made therefore and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be executed under the seal of the corporation and signed and verified by two duly authorized officers of the corporation which shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of the registered office of the corporation
- (3) A statement that the corporation has theretofore

delivered to the department of State a certificate of election to dissolve and the date on which the certificate was filed by the Department of State

(4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provisions has been made therefor

(5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests

(6) A statement that there are no suits pending against the corporation in any court or that adequate provision has been made for the satisfaction of any judgement or decree which may be obtained against the corporation in each such pending suit

The articles of dissolution proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that such articles conform to the law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and shall file the articles and issue to the corporation or its representative a certificate of dissolution to which shall be attached a copy of the approved articles Upon the [issuance of the certificate] approval of the articles of dissolution the existence of the corporation shall cease

Section 31 This act shall become effective immediately upon final enactment

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 400

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 400.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 585 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call up for consideration

at this time the Report of the Committee of Conference on Senate Bill No. 585.

REPORT OF COMMITTEE OF CONFERENCE  
ON SENATE BILL No. 585

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 585, as follows:

Report of the Committee of Conference on Senate Bill No. 585

To the Members of the Senate and ouse of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 585, entitled: "An act authorizing certain officers in cities of the first class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class and in school districts of the first class under certain conditions."

Respectfully submit the following bill as our report:

LOUIS H. FARRELL,  
A. EVANS KEPHART,  
ANTHONY J. DISILVESTRO,  
(Committee on the part of the Senate.)

CHARLES C. SMITH,  
FRANK A. COSTA,  
H. G. ANDREWS,

(Committee on the part of the House of Representatives.)

An Act authorizing certain officers in cities of the first class and in school districts of the first class cotermious therewith to abate penalties and interest on unpaid city and school real estate taxes under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All penalties and interest imposed on delinquent city and school real estate taxes in cities of the first class and in school districts of the first class cotermious therewith for the tax year one thousand nine hundred and forty-eight and for all previous tax years shall be abated if the controller treasurer and receiver of taxes in a city of the first class and the school district of the first class cotermious therewith are unanimously of the opinion that the total of the taxes plus accrued penalties and interest exceeds the market value as of the thirty-first day of December one thousand nine hundred forty-eight of the real property for which an abatement is requested

Section 2 No abatement of penalties and interest shall be allowed unless the owner or lienholder petitions the officers set forth in section one hereof for an abatement on or before the fifteenth day of September one thousand nine hundred forty-nine and pays all of his delinquent real estate taxes less penalties and interest within thirty (30) days after said officers find as a fact that the value of the said real estate is less than the total of taxes penalties and interest as of the aforesaid date

Section 3 In order to receive the benefits of this act the one thousand nine hundred forty-nine taxes on the said real estate must be pid during the calendar year one thousand nine hundred forty-nine

Section 4 This act shall be construed to apply to all city and school real estate taxes whether or not liens for such taxes have been filed in the office of the prothotary of the county or any proceedings for the collecting of such taxes have been instituted in any court

Section 5 All acts or parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 6 The provisions of this act shall become effective immediately upon its final enactment

On the question,  
Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF  
CONFERENCE ON SENATE BILL No. 585

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 585.

Mr. HARE. Mr. President, I second the motion.  
On the question,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 1262 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1262, which was passed over in its order, temporarily.

BILL DROPPED FROM CALENDAR

Mr. WALKER. Mr. President, I move that House Bill No. 1262, on third reading, entitled:

An Act to amend sections ten and eleven of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts by permitting the central police court to close each day providing for the assignment of magistrates to divisional police courts eliminating provisions requiring rotation of magistrates assigned to police stations

be dropped from the Calendar.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

#### HOUSE BILL No. 695 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 695, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-seven (P. L. 318) entitled "The C. P. A. Law" by prescribing educational and experience qualifications necessary for right to take examination; and regulating use of the word "certified" or any abbreviation thereof or its initial letter.

and move a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 695

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. T. NEWELL WOOD, LLOYD H. WOOD and STIEFEL, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 695.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE BILL No. 872 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 872, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379) entitled "Third Class County Board Assessment Law," by providing for annual assessments; abolishing triennial assessments; providing for fixing of salaries of subordinate assessors; limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made; and making assessments applicable to taxation for institution district purposes.

and move a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 872

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WATKINS, SCARLETT and DiSILVESTRO, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 872.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE BILL No. 349 TAKEN FROM TABLE

Mr. PECHAN. Mr. President, I call from the table House Bill No. 349 for reconsideration at this time.

#### RECONSIDERATION OF MOTION TO RECEDE FROM SENATE AMENDMENTS TO HOUSE BILL No. 349

Mr. PECHAN. Mr. President, I move that the Senate do now reconsider the vote by which the motion to recede from the amendments placed by the Senate in House Bill No. 349, entitled:

An Act to further amend section three of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled, as amended "Beverage Tax Law," increasing the rates of certain taxes for a further limited period of time.

was defeated.

The PRESIDENT. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the majority.

Mr. DOEHLA. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. DOEHLA. Mr. President, I voted with the majority.

On the question,

Will the Senate agree to the motion?

Mr. HALUSKA. Mr. President, I ask for a roll call.

Mr. TARR. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HALUSKA and Mr. TARR, and were as follows, viz:

#### YEAS—27

Berger,	Hare,	Meade,	Walker,
Chapman,	Homsher,	Pechan,	Watkins,
Diehm,	Kephart,	Peelor,	Watson,
Doehla,	Letzler,	Scarlett,	Wolfe,
Donlan,	Lord,	Stevenson,	Wood, L. H.,
Frazier,	Mahany,	Taylor,	Wood, T. N.,
Geltz,	McPherson, Jr.,	Wagner,	

#### NAYS—18

Barr,	Holland,	Ruth,	Tarr,
Barrett,	Lane,	Snowden,	Toole,
Dent,	Mallery,	Stiefel,	Wade,
DiSilvestro,	Noft,	Tallman,	Yosko,
Haluska,	Rosenfeld,		

So the question was determined in the affirmative.

#### SENATE RECEDES FROM ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 349

Mr. WALKER. Mr. President, I move that the Senate recede from its amendments non-concurred in by the House to House Bill No. 349, entitled:

An Act to further amend section three of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled, as amended "Beverage Tax Laws," increasing the rates of certain taxes for a further limited period of time.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HALUSKA. Mr. President, this is a very sad moment in the history of Pennsylvania. We are witnessing some chicanery here this afternoon. We are showing a fine example to these youngsters who came here to witness this Session.

One thing is clear, Mr. President. We have reached the climax in this Session, and one thing is definitely clear that the Members of this Assembly have no power and no right, you might say, to pass their judgment upon

any bill. No matter what we may do, if the man sitting in the front office, Governor Duff, says, "Change your vote", the vote is changed. Therefore, we have come to the point where we are laying on his doorstep the action of this Assembly.

Mr. President, we say to the Governor, "Mr. Governor, it is your fault that F. E. P. C. was defeated; it is your fault that labor received very little recognition; and Mr. Governor, it is your fault that the aged, the poor, the blind must live on a mere pittance because you, Mr. Governor, have called all the shots. You, Mr. Governor, threatened the Members of this august body. They must go along with you or else 'You lose what consideration I have given you'." This is a one man government despite the fact that we have 258 men who are duly sworn to exercise their prerogatives. It is a sad state of affairs.

Mr. President, we have witnessed the steamroller in action all afternoon, and I told my colleagues that we only gained a moral victory; that before the sun comes up, there will be many telephone calls made, many threats made, and you will find many of the men who voted for this action this morning having face abouts, voting otherwise.

Oh, this reminds me so clearly, Mr. President—the shadows have returned to the Senate of Pennsylvania. I recall that day, that fateful day, when a man was dragged out of that barber shop, intoxicated, brought to his seat, given orders to vote and hauled back out. Thank God he never returned.

Mr. President, there will be some more men who are serving their last day in this Session, not because I say that but because the people of Pennsylvania are not so gullible. They know what is going on. They won't stand for such chicanery, such trickery. It is a sad day in Pennsylvania.

We have tried, Mr. President, to give one industry justice in the operation of their plants, the brewing industry, but this same body gave the soda pop people an 8% consideration on the taxes on their industry. Why, why? Because we felt there was a loss in their products, in the selling of their products. This same body gave the cigarette people 5% to make up for losses, the gasoline people up to 3%, and for the brewing industry that now pays both Federal and State taxes upward to \$11 per barrel, we are only asking for a mere pittance of 5% of a reduction due the losses in their products.

How can any man, Mr. President, satisfy his conscience by saying that the soda pop people are entitled to 8%? The only possible breakage a soda pop manufacturer may have is if the boy or girl picking up that bottle should drop it, and that is very remote. They have no pasteurization, but in the brewing industry, may I remind you again, when beer comes out of a plant, it is between 35 or 40 degrees temperature. It is bottled, and then it is pasteurized. When it comes out of pasteurization, it is 75 degrees temperature, and during that process we can't control the breakage. We have our beer in the bottle, we have paid for the beer, we have paid for the bottle, we have paid for the labor, we have paid for the crown and the tax on that crown. We don't sell it if it is broken. We take the loss on the beer in the bottle, with the crown, but we feel we

are entitled to the same consideration as you have given the others which I have mentioned.

Mr. President, the gentlemen of this body felt this morning that 5% of a reduction for our losses was a fair consideration. I even talked to the men on the other side, and they said, "Well, if the Governor feels it is a big return in taxation," and I said, "Gentlemen, can we cut it in two? We will agree to 2½%." We want to be fair with the Administration. We voted for that tax, every Democrat voted for that tax. We realize we must have taxes. I thought surely we could agree, at least, to a compromise of 2½%.

Now, Mr. President, after all the work this afternoon we find men here who got up and changed their vote—they voted under a misapprehension, and wanted to reconsider their vote. Well, they have a right to do that. If that is their principle and that is their wish, it will catch up with them. Right will prevail in the long run. They will rue the day and the hour of their actions this afternoon. Some day they will regret deeply when the day comes that they must have a reckoning with their own conscience.

Mr. NEFF. Mr. President and Members of the Senate, I am not surprised at what is about to happen here this evening. We have seen it happen many times in this Session. I have come to learn in the last four months that principle and integrity mean very little in the Halls of the General Assembly of the Commonwealth of Pennsylvania. The only matter to be considered seriously is the matter of political expediency.

For example, Mr. President, on Wednesday evening in the House of Representatives we saw the story re-enacted, or enacted for the first time this week to the detriment of a great group of people, the workers of Pennsylvania, and I speak of the action of the House in regard to Senate Bill No. 446. We found that the Members of the House of Representatives amended the act to eliminate a wage tax on the workers of Pennsylvania, and then during a four hour recess—

#### POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, the question before the Senate is the recession of the Senate from the amendments placed in House Bill No. 349.

The PRESIDENT. The point of order of the gentleman from Allegheny, Mr. Walker, is well taken, and the gentleman from Lawrence, Mr. Neff, will please confine himself to the question before the Senate.

Mr. NEFF. One moment. Mr. President. I am attempting to make a point here, and if I may say to the distinguished gentleman from Allegheny, Senator Walker, his action here now can only be answered by me in recalling an old, great proverb.

#### POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a further point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, will the gentleman from Lawrence, Senator Neff, please confine his remarks to the question before the Senate?

Mr. NEFF. Mr. President, my distinguished colleague from Westmoreland, Senator Dent, has asked me to yield, and I will do so, with your permission.

Mr. DENT. Mr. President, again I must rise to the defense of an individual speaking upon a subject upon the floor of the Senate. It is impossible to carry on debate, and carry out logic, without digressing from the subject contained within the bill in the Senate of Pennsylvania or any other deliberative body.

Mr. President, I may disagree with every word Senator Neff may say, but I must defend his right to say it. This gentleman has a right to digress from the subject when his digression is only to bring out a point illustrative of the action here on the floor of the Senate.

I disagree with the point of order, and the position taken by the Chair in that matter. The subject before the Senate is the action of the Senate itself, and I now yield to the gentleman from Lawrence, Senator Neff.

Mr. WALKER. Mr. President, may I say to the gentleman from Westmoreland, Senator Dent, there is nothing before the Senate except the consideration of the recession of the Senate from the amendment placed in House Bill No. 349.

The PRESIDENT. If the gentleman from Lawrence, Senator Neff, is speaking on the matter of the amendment, he may proceed.

Mr. NEFF. Mr. President, I am speaking on the amendment.

First, Mr. President, on Wednesday evening we saw the House of Representatives amend Senate Bill No. 446 to provide for the elimination of a wage tax, and then after a four hour recess come back in Session, and recede or recede from their position, following a sandbagging by the emissaries of the corporate and vested interests of the state, and by the emissaries of the Governor, and we have found the same thing happening in the Senate of Pennsylvania today.

Mr. President, what have they used to drive these people in line, who voted as their conscience would dictate this morning? They used Senate Bill No. 467, and so we found a group of Republicans, who have not gone along the whole way, voting right this morning on this measure, and now I can look forward to having them vote in the affirmative, and against their conscience, because in Senate Bill No. 367, a merit rating program dear to the heart of industry, the vested interests of the state is at stake.

Mr. President, I think that we can say, and say with sincerity and very conclusively, as this Session of the General Assembly draws to a close that Mason Owlett, Grundy and other backdoor strategists of big business can take smug satisfaction in a job well done. Once again they have been successful in carrying the ball for the special interests of the Commonwealth of Pennsylvania.

Mr. WALKER. For the information of the gentlemen of the Senate, the gentleman from Cambria, Senator Haluska, and the gentleman from Lawrence, Senator Neff, know full well that there were five or six Members off the floor on Senate business, attending Senate Conferences and Committee Meetings, at the time this bill was first brought up.

Mr. BARR. Mr. President, previous to calling the roll, there is just one statement I would like to read into the record as to what the brewing industry pays in taxes in Pennsylvania compared to our neighboring states.

Mr. President, it might be of interest to the Members of the Senate to know that the malt tax paid on malt beverages in Pennsylvania is quite high compared to states that have the largest malt beverage manufacturing interests.

New York State assesses a tax of 103 1/3 cents per barrel, or 7 1/2 cents per case. As you know, in Pennsylvania the tax is \$2.04 per barrel, at the rate of 24 cents per case upon bottled beer.

Wisconsin, which is a large brewing center, has a tax of \$1.00 per barrel, or 7 1/4 cents per case.

Missouri, also a large brewing center, has a tax of 62 cents per barrel, or 4 1/2 cents per case.

New Jersey levies 1 dollar and 1/3 cents per barrel, and 7 1/2 cents per case.

Illinois has a tax of \$1.24 per barrel, or 8 cents per case.

If I may add, Mr. President, in each and everyone of those states, they have large breakages.

#### POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Cambria, Mr. Haluska, will state his point of information.

Mr. HALUSKA. Mr. President, what is our position now on this bill? How are we voting, and for what?

The PRESIDENT. The motion is to recede from the amendment to House Bill No. 349, made by the Senate.

Mr. DENT. Mr. President, that question is very important because I want it very clearly understood that the Members on this side are not voting against the beer tax.

Mr. President, historically, the case is this. The House passed the beer tax, and the Senate amended it to give the brewing industry a reduction on the tax collected or paid into the Commonwealth for breakage. The House refused to accept the Senate amendment, and a Conference Committee was appointed. Somehow the Conference Committee got lost in the rapids of the Schuylkill River this afternoon or this morning, and a motion was made for the Senate to recede from its position.

Now, Mr. President, the vote is upon the question of whether or not we recede from our position. Am I right, Mr. President?

The PRESIDENT. That is correct.

Mr. DENT. And then, Mr. President, the vote taken now is not a direct vote on the beer tax. The record stands that the Members on this side voted for the beer tax as such. The record stands that the Members on this side voted for the beer tax with the breakage in it for the brewing industry.

Now, Mr. President, the record will be whether or not we want to continue the breakage for the industry. Correct me, Mr. President, if I am wrong.

The PRESIDENT. That is correct.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

## YEAS—29

Berger,	Hare,	Meade,	Wagner,
Blass,	Homsher,	Pechan,	Walker,
Chapman,	Kephart,	Peelor,	Watkins,
Diehm,	Letzler,	Scarlett,	Watson,
Doehla,	Lord,	Snowden,	Wolfe,
Donlan,	Mahany,	Stevenson,	Wood, L. H.,
Frazier,	McPherson, Jr.,	Taylor,	Wood, T. N.,
Geltz,			

## NAYS—17

Barr,	Holland,	Rosenfeld,	Tarr,
Barrett,	Lane,	Ruth,	Toole,
Dent,	Mallery,	Stiefel,	Wade,
DiSilvestro,	Neff,	Tallman,	Yosko,
Haluska,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 367 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call up for consideration at this time the Report of the Committee of Conference on Senate Bill No. 367.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 367

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 367, as follows:

#### REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 367

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 367, entitled: "An act to further amend sections four, three hundred one, the first paragraph of section four hundred two, five hundred one, five hundred two and six hundred one point one of, and to amend section seven hundred two of, and to repeal section three hundred thirteen of, and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897) entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; \* \* \* by changing and adding certain definitions; further regulating eligibility for compensation providing for modification of the manner in which employer contribution rates are determined and under certain conditions for the payment by employers of the costs of appeals'"

Respectfully submit the following bill as our report:

LLOYD H. WOOD,  
JAMES A. GELTZ,  
JOHN M. DENT,

(Committee on the part of the Senate).

W. STUART HELM,  
ROBERT F. KENT,

(Committee on the part of the House of Representatives.)

An Act to further amend sections four three hundred one five hundred one five hundred two and six hundred one point one of and to amend section seven hundred two of and to repeal section three hundred thirteen

of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by changing and adding certain definitions providing for modification of the manner in which employer contribution rates are determined and under certain conditions for the payment by employers of the costs of appeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (k) and (y) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the tenth day of June one thousand nine hundred forty-seven (P. L. 498) are hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

\* \* \* \* \*

[(k) "Employer's Experience" means a percentage obtained by dividing the "Wages of a Compensated Employee" as defined in sub-section (y) of this section paid by an employer to all of his compensated employees during the first twelve (12) of the last fourteen (14) completed calendar quarters immediately preceding the calendar year which includes the calendar quarter to which the contribution rate is applicable less any credit for reemployment with respect to benefit years ending prior to the first day of June one thousand nine hundred and forty-five which was credited to the employer during such twelve (12) calendar quarters by the total wages paid by the employer to all his employees during such twelve (12) calendar quarters Credit for reemployment previously allocated to a calendar year shall be deemed to have been allocated as of the last two calendar quarters of such calendar year]

(k) "Employer's Reserve Account" means the separate account established and maintained by the department for each employer in the manner provided in section three hundred two hereof including any balance of the reserve account of any other employer whose reserve account may have been transferred to such employer

\* \* \* \* \*

(y) "Wages of a compensated employee" [with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means wages which were paid to the compensated employee by

an employer of such employee in the base year immediately preceding the employee's benefit year and which wages shall be treated as though they had been paid in the calendar quarter in which the first compensation of the employee's benefit year was paid and with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five means the first one thousand three hundred and sixty-six dollars (\$1366) in wages, which were paid to [the] a compensated employee by [an employer of such employee in] each of such compensated employee's employers during the base year immediately preceding the employee's benefit year and which wages shall be treated as though they had been paid in the calendar quarter in which that amount of compensation was paid which together with any amounts of compensation previously paid with respect to such benefit year equals at least three times the employee's weekly benefit rate for the purpose of charging an employer's reserve account under the provisions of subsection (b) of section 302 of this act "wages of compensated employees" as used therein shall not include wages which were the basis of credit for a waiting week or for the payment of unemployment compensation or both as a result of any employee being unemployed under conditions which under subsection (d) of section four hundred two of this act as amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1186) would have made him ineligible for compensation providing any such employer within sixty days from the date of mailing notice of his contribution rate for the year one thousand nine hundred forty-nine as computed under the provisions of section three hundred one as amended by this act files as appropriate application with the department giving sufficient information to enable the department to determine whether or not his "wages of compensated employees" should be adjusted under the provisions of this subsection if however any such employee after the termination of the conditions above mentioned and in the same benefit year was paid compensation equal to at least three times his weekly benefit rate then the "wages of a compensated employee" which were the basis thereof shall be included in the "wages of compensated employees" for the employer for the same calendar quarter to which such wages were originally allocated by the department provided that the provisions of this subsection shall not result in the removal or transfer of any "wages of a compensated employee" for any calendar quarter to which such "wages" were originally allocated by the department in determining "state experience" as defined in subsection (s) of section four of this act

Section 2 Section four of the said act is hereby amended by adding thereto new subsections (z.3) (z.4) and (z.5) as follows

(z.3) "Computation Date" means June thirtieth of the year preceding the effective date of new rates of contribution which date shall be January first of the succeeding year

(z.4) "Annual Payroll" means the total amount of "wages" as herein defined paid by any employer during the twelve consecutive calendar month period ending on June thirtieth of any year including such wages paid by any other employer appertaining to that balance of the reserve account of such other employer which may have been transferred to such employer

(z.5) "Average Annual Payroll" means the average of the last three consecutive "annual payrolls" of any employer

Section 3 Section three hundred one of the said act as last amended by the acts approved the tenth day of June and the ninth day of July one thousand nine hundred forty-seven (P. L. 498 and 1469 respectively) is hereby further amended to read as follows

Section 301 Contributions by Employers Experience Rating

(a) Each employer shall pay contributions with re-

spect to the calendar year one thousand nine hundred forty-eight] nine and each calendar year thereafter at a rate equal to two and seven-tenths per centum of wages paid by him for employment Provided however That such rate shall be adjusted between a minimum rate of five-tenths of one per centum and a maximum rate of two and seven-tenths per centum in accordance with the following provisions of this section if with respect to the adjustment of rate for the year one thousand nine hundred forty-nine the employer has paid contributions under this act for one or more quarters in each of the five calendar years immediately preceding such year and with respect to the adjustment of rates for the year one thousand nine hundred fifty and thereafter if the employer has paid contributions under this act for one or more quarters in each of the three twelve month periods ending on the computation date for the year for which the rate is applicable and has also paid contributions under this act for one or more of the first four of the last five calendar quarters immediately preceding such three twelve month periods and provided further however that no employer's rate of contribution for any calendar year shall be less than two and seven-tenths per centum unless all his contributions due on wages paid to the end of the second calendar quarter of the preceding calendar year together with interest and penalties due thereon have been paid by the thirty-first day of July of such preceding calendar year except that an employer who has timely filed an appeal as provided in subsection (e) of this section and who has been determined ineligible to receive a reduced rate solely on the basis that he has not paid all contributions interest and penalties within the time limits as required in this subsection shall have his rate redetermined and shall not be considered ineligible under this subsection if payment of such delinquent contributions interest and penalties is made within thirty days after the department has notified the employer of the reason for his ineligibility for rate reduction in response to the appeal filed by the employer under subsection (e)

(a.1) Except as specifically provided under section four hundred four wages paid with respect to employment performed under shipping articles shall for the purposes of this act be considered as having been paid as of a date determined under rules and regulations of the department irrespective of when actual payment was made to the employee

(b) Each employer with respect to any period prior to the first day of January one thousand nine hundred forty-eight] nine shall be liable for contributions in accordance with the provisions of this act applicable to each period in effect prior to [the effective date of this amendment] such date and for these purposes such provisions shall remain in force and effect

(c) The rate of contribution payable by an employer entitled to an adjustment [between the minimum rate of one per centum and the maximum rate of two and seven-tenths per centum for each calendar year] as herein provided shall be [determined prior to the due date of his first contribution for the year in accordance with the following table

TABLE

State Experience	Employers Experience			
	Col 1	Col 2	Col 3	Col 4
6% or less .....	17	25	34	42
7 .....	14	21	29	36
8 .....	13	19	25	31
9 .....	11	16	22	28
10 .....	10	15	20	25
11 .....	9	14	18	23
12 .....	8	13	17	21
13 .....	8	12	15	19
14 .....	7	11	14	18
15 .....	7	10	13	17
16 .....	6	9	12	16
17 .....	6	9	12	15

18 .....	6	8	11	14
19 .....	5	8	11	13
20 .....	5	8	10	13
21 .....	5	8	10	12
22 .....	5	7	9	11
23 .....	4	7	9	11
24 .....	4	6	8	10
Rate of Contribution	1%	1.5%	2%	2.5%

as follows

(A) When as of the computation date there is a credit balance in such employer's reserve account which balance shall include (1) contributions with respect to the period ending on the computation date and paid on or before July thirty-one immediately following such computation date (2) benefits paid on or before computation date and shall also include any voluntary payments made in accordance with subsection (g) of Section 302 of this act his contribution rate shall be as set forth in the following table

Employer Percentage

(Each Percentage shown Includes the Fractional Percentages Between Such Percentage and the Immediately Higher Percentage)

State Percentage	9						
	More	8	7	6	5	4	Less Than 4
9.1% or more .....	.5	.7	1.0	1.5	2.0	2.5	2.7
8.9 and less than 9.1 ....	.5	.7	1.2	1.7	2.2	2.7	2.7
8.7 and less than 8.9 ....	.5	.9	1.4	1.9	2.4	2.7	2.7
8.5 and less than 8.7 ....	.6	1.1	1.6	2.1	2.6	2.7	2.7
8.3 and less than 8.5 ....	.8	1.3	1.8	2.3	2.7	2.7	2.7
8.1 and less than 8.3 ....	1.0	1.5	2.0	2.5	2.7	2.7	2.7
7.9 and less than 8.1 ....	1.2	1.7	2.2	2.7	2.7	2.7	2.7
7.7 and less than 7.9 ....	1.4	1.9	2.4	2.7	2.7	2.7	2.7
7.5 and less than 7.7 ....	1.6	2.1	2.6	2.7	2.7	2.7	2.7
7.3 and less than 7.5 ....	1.8	2.3	2.7	2.7	2.7	2.7	2.7
7.1 and less than 7.3 ....	2.0	2.5	2.7	2.7	2.7	2.7	2.7
6.9 and less than 7.1 ....	2.2	2.7	2.7	2.7	2.7	2.7	2.7
6.7 and less than 6.9 ....	2.4	2.7	2.7	2.7	2.7	2.7	2.7
6.5 and less than 6.7 ....	2.6	2.7	2.7	2.7	2.7	2.7	2.7
Less than 6.5 .....	2.7	2.7	2.7	2.7	2.7	2.7	2.7

As used in the foregoing table the term "Employer Percentage" means the ratio of the balance in an employer's reserve account to his average annual payroll and the term "State Percentage" means the ratio of the balance as of July thirty-first immediately following such computation date in the unemployment trust fund to the credit of the Commonwealth of Pennsylvania as recorded on the records of the department to the aggregate average annual payrolls of all employers

Provided however that in no case shall the rate of any employer exceed two and seven-tenths per centum or be less than five-tenths of one per centum

[(d) An employer's rate of contribution for each calendar year shall subject to adjustment as provided in clause (f) hereof be that specified at the end of the column in which on the line opposite the State Experience there appears the percentage nearest to the Employer's Experience Provided That the rate of contribution of any employer whose Employer's Experience is in excess of the percentage appearing in column four on the line opposite the State Experience shall be two and seven-tenths per centum and Provided further That if the Employer Experience of any employer computed to an infinite number of decimal places is exactly equally removed from two percentage figures which appear on the line opposite the State Experience the rate of contribution of such employer shall be the rate specified at the end of the column in which appears the higher of such two percentage figures

(e) No employer's rate of contribution for any calendar year shall be less than two and seven-tenths per centum unless all his contributions due on wages paid to the end of the second calendar quarter of the preceding calendar

year together with interest and penalties due thereon have been paid by the thirty-first day of December of such preceding calendar year

(f) Fund Stabilization Factor To assure an adequate balance in the fund to meet the benefit payments which may be expected and to avoid the accumulation of excessive reserves the employer's rate of contribution determined in accordance with subsection (d) of this section shall be further adjusted as follows If at the beginning of the first day of any calendar year the balance in the Unemployment Trust Fund to the credit of the Commonwealth of Pennsylvania is eight and three-tenths per centum or more of the total wages of all employees paid during the first four of the last six completed calendar quarters as reported to the department by the preceding September thirtieth then the employer's rate of contribution for such calendar year shall be further adjusted downward in accordance with the following table Provided however That if at the beginning of the first day of any calendar quarter the balance in the Unemployment Trust Fund to the credit of the Commonwealth of Pennsylvania is less than eight and one-tenth per centum of the total wages of all employees paid during the first four of the last six completed calendar quarters as reported to the department by the last day of the next to the last completed calendar quarter then and in that event the employers rate of contribution for each calendar quarter shall be further adjusted upward in accordance with the following table]

[Employer's Adjusted Rate of Contribution determined in accordance with paragraph (d)]

Balance in fund (State Reserve Ratio)	[1% 1.5% 2.0% 2.5% 2.7%				
	Employer's adjusted rate of contribution in accordance with the provisions of this subsection				
9.1% or more	.5	.7	1.0	1.5	2.7
8.9 and less than 9.1	.5	.7	1.2	1.7	2.7
8.7 and less than 8.9	.5	.9	1.4	1.9	2.7
8.5 and less than 8.7	.6	1.1	1.6	2.1	2.7
8.3 and less than 8.5	.8	1.3	1.8	2.3	2.7
8.1 and less than 8.3	1.0	1.5	2.0	2.5	2.7
7.9 and less than 8.1	1.2	1.7	2.2	2.7	2.7
7.7 and less than 7.9	1.4	1.9	2.4	2.7	2.7
7.5 and less than 7.7	1.6	2.1	2.6	2.7	2.7
7.3 and less than 7.5	1.8	2.3	2.7	2.7	2.7
7.1 and less than 7.3	2.0	2.5	2.7	2.7	2.7
6.9 and less than 7.1	2.2	2.7	2.7	2.7	2.7
6.7 and less than 6.9	2.4	2.7	2.7	2.7	2.7
6.5 and less than 6.7	2.6	2.7	2.7	2.7	2.7
Less than 6.5	2.7	2.7	2.7	2.7	2.7]

[(g)] (d) Successor-in-interest [(1) Pursuant to rules adopted by the department an employer who prior to the first day of January one thousand nine hundred and forty-six acquires an organization trade or business in whole or in part from another employer shall immediately notify the department and for the purpose of ascertaining the rate of contribution of the succeeding employer his "Employer's Experience" shall include that of the prior employer as related to the whole or part of the organization trade or business acquired Such a succeeding employer shall receive full credit for the years during which the former employer made contributions as to the organization trade or business acquired

(2) And Where an employer [who] subsequently to the [thirty-first] thirtieth day of [December] June one thousand nine hundred and [forty-five] forty-nine transfers his or its organization trade or business in whole or in part to a successor-in-interest [may jointly make application with] such successor-in-interest may make application for transfer of the ["Employer's Experience"] whole or appropriate part of the experience record of the preceding employer to the successor-in-interest including credit for the years during which contributions were paid by the preceding employer [The] Provided however Where such transfer involves only a part of such

organization trade or business of the preceding employer the department shall transfer the appropriate part of such experience record of the preceding employer only if such preceding employer has joined in such application and has filed with the department such supporting schedules or other information with respect to such experience record as the department may require. If the application for such transfer is filed in accordance with the rules and regulations of the department and within the time limits prescribed therein the department may allow such transfer [of "Employer's Experience" pursuant to rules and regulations adopted by the department] only if it finds that the ["Employer's Experience"] employment experience of the preceding employer with respect to the organization trade or business or part thereof as the case may be which has been transferred may be considered indicative of the future ["Employer's Experience"] employment experience of the successor-in-interest. In the event of a part transfer of an employer's organization trade or business only [that] such portion of the ["Employer's Experience"] experience record of the preceding employer [relating to the portion of the organization trade or business transferred] as such employer's wages for the last calendar year's annual payroll of the organization trade or business transferred bears to his total annual payroll for such last calendar year shall be transferred and credit shall be given to the successor-in-interest only for the years during which contributions were paid by the preceding employer with respect to that part of the organization trade or business transferred. A transfer of ["Employer's Experience"] a reserve account balance in whole or in part having been applied for and approved by the department the preceding employer thereafter shall not be entitled to consideration for an adjusted rate based upon his [experience or part thereof as the case may be] reserve account balance which has been thus transferred.

A preceding employer or successor-in-interest who prior to the transfer was an employer during the calendar year in which the transfer occurred shall not have his rate of contribution adjusted under the provisions of this subsection for the remainder of such year. A successor-in-interest who prior to the transfer was not an employer during the calendar year in which the transfer occurred and who has made application for a transfer which has been approved by the department as provided herein and who together with his predecessor has paid contributions for the period required under subsection (a) of section three hundred one with respect to the organization trade or business or part thereof which has been transferred shall be assigned the same rate of contribution as the preceding employer for the remainder of such year after which his rate of contribution shall be determined on the basis of the balance in the reserve account which has been combined with any other reserve account which such successor-in-interest may have acquired.

[h] (e) (1) The department at least once during each calendar quarter shall furnish each employer with a notice showing the amount of compensation paid during the preceding calendar quarter and charged to such employer's account including the names of the claimants the weeks for which compensation was paid and the amount of compensation charged. All questions involving the eligibility of a claimant to receive compensation shall be resolved as provided under the pensions of section five hundred one of this act and such eligibility may not be directly contested by an employer under the provisions of this section. The clerical accuracy of the notice provided under the provisions of this subsection may not be contested by an employer in connection with any future appeal by the employer from the rate of contribution assigned to him unless within sixty days from the date of mailing of such notice the employer files with the department a protest in writing contesting the clerical accuracy of such notice and setting forth in detail the item or items to which exception is taken and the reasons therefor. Such period of sixty days may be extended

with the approval of the department upon written application by the employer filed prior to the expiration of such period.

(2) The department shall promptly notify each employer of his rate of [contributions] contribution for the calendar year determined as provided in this section [and for each calendar quarter when modifications in rates are made in accordance with paragraph (f)]. The department shall furnish each employer with a statement showing the base year wages from such employer of each of his compensated employees and the benefit year to which such wages relate. The determination of the department of the employers rate of contribution shall become conclusive and binding upon the employer unless within thirty days after the mailing of notice thereof to the employer's last known post office address the employer files an application for review and redetermination setting forth his reasons therefor provided that subject to the provisions of subsection (j) of this section the department at any time on its own motion may adjust an employer's contribution rate if it finds that such rate is incorrect. The department may if it deems the reasons set forth by the employer insufficient to change the rate of contribution deny the application otherwise it shall grant the employer a fair hearing. The employer shall be promptly notified of the denial of his application or of the department's redetermination both of which shall become final and conclusive within thirty days after the mailing of notice thereof to the employer's last known post office address unless the employer shall appeal by petition from the action of the department to the Court of Common Pleas of Dauphin County within such time.

[(i)] (f) The petition filed in the Court of Common Pleas of Dauphin County shall set forth the reasons why the employer deems the rate of contribution determined by the department is incorrect. No questions shall be raised in any such petition except such as were set forth in the application for review and redetermination by the department. A copy of the petition shall be served on the secretary or his deputy. The court shall fix a time for hearing the petition and after hearing shall enter such order affirming or changing the rate of contribution determined by the department as to it appears just and proper. From the decision of the court an appeal may be taken by the department or the employer to the Supreme or Superior Court as in other cases.

[(j)] (g) Pending the determination of the correct rate of contribution payable by an employer where an appeal to court has been taken the employer shall be liable to the payment of the contributions at the rate as determined by the department. But if the rate of contribution is changed by order of court then the department shall without application by the employer make an adjustment thereof in connection with subsequent contribution payments as provided in section three hundred eleven of this act or the employer may apply for a refund in accordance with said section.

[(k)] (h) Each employer shall be given notice of the filing of valid applications for benefits by his former employees as provided in section five hundred one. Notice having been properly given as provided in such section no employer shall have standing in any proceeding involving his rate of contributions to contest the chargeability to his account of any [wages of a compensated employee] compensation paid to such employee on the grounds that he was not given sufficient or adequate notice or opportunity to be heard.

[(l)] (i) For purpose of determining whether or not an employer has paid contributions [in each of the five calendar years immediately preceding the year for which a rate is applicable as provided in subsection (b) of this section] in order to be eligible for consideration for an adjusted rate an employer who shall have served in the active military or naval service of the United States at any time after the sixteenth day of September one thousand nine hundred and forty and prior to the termination of the present war and who shall have been discharged or released from active service under condi-

tions other than dishonorable shall be deemed to have paid contributions under this act during any [calendar] fiscal year ending on the thirtieth day of June any part of which is included in such period of military or naval service. Provided that he has actually paid contributions under this act for one or more quarters in either the [calendar] fiscal year ending on the thirtieth day of June in which he entered such military service or in the immediately preceding [calendar] fiscal year ending on the thirtieth day of June.

(j) If the department finds that it has erroneously notified an employer that his rate of contribution is less than the rate to which he is entitled he shall be notified of the revision of his rate and he shall be required to make payment of additional contributions on the basis of the revised rate. Provided That no such additional contributions shall be required unless the employer is notified of his revised rate not later than one year from the end of the calendar year to which the rate is applicable unless the department finds that the employer has directly or indirectly contributed to the error. No interest shall be required to be paid in connection with such additional contributions if they are paid within thirty (30) days from the date that the employer is notified of his revised rate.

Section 4 The said act is hereby amended by adding thereto a new section three hundred two reading as follows:

Section 302 Establishment of Maintenance of Employer's Reserve Accounts. The department shall establish and maintain for each employer a separate employer's reserve account in the following manner:

(a) Such account shall be credited with all contributions paid prior to January first one thousand nine hundred forty-nine by said employer for the period between July first one thousand nine hundred forty-five and June thirtieth one thousand nine hundred forty-eight both inclusive.

(b) Such account shall be charged with an amount which is the total of the three products obtained by multiplying such employer's wages of compensated employees including reemployment credits if any as ascertained by the department for each of the twelve month periods ended June thirtieth one thousand nine hundred forty-six one thousand nine hundred forty-seven and one thousand nine hundred forty-eight by a factor for each of said periods respectively which factor the department shall establish for each of the twelve month periods by dividing the total compensation paid to all employees during such period by the total wages of compensated employees applicable to such period.

(c) Such account shall be credited with an amount computed as follows:

(1) Every employer subject to this act on June thirtieth one thousand nine hundred forty-eight who was also subject to this act on or before June thirtieth one thousand nine hundred forty-five shall be segregated into one of ten categories which categories shall represent respectively the years 1936 to 1944 both inclusive and the half year ended June thirtieth one thousand nine hundred forty-five when the employers segregated to each said category shall first have become subject to this act.

(2) The average annual payrolls for the period ended June thirtieth one thousand nine hundred forty-seven of all of the employers in each of the ten categories established in subparagraph (1) hereof shall be allocated to such category.

(3) To each separate category shall be assigned a factor which shall represent all contributions by even million dollars paid into the Unemployment Trust Fund by all employees from the beginning of the year represented by each said category respectively to and including June thirtieth one thousand nine hundred forty-five.

(4) A category product shall be determined for each category by multiplying the total of the average annual payrolls of all the employers allocated under subparagraph (2) hereof to each category by the factor assigned thereto under subparagraph (3) hereof.

(5) There shall be distributed to each category that portion of the Unemployment Trust Fund as of August thirty-first one thousand nine hundred forty-five in the ratio that the category product thereof bears to the sum total of all the category products computed to four decimal places and any remainder disregarded.

(6) The amount to be credited hereunder to the reserve account of each such employer shall be determined as follows: His average annual payroll for the period ended June thirtieth one thousand nine hundred forty-seven shall be multiplied by a ratio determined by dividing that portion of the Unemployment Trust Fund distributed under subparagraph 5 hereof to the category into which such employer is segregated by the total of all the average annual payrolls for the same period of all the employers segregated to the same category computed to four decimal places and any remainder disregarded.

(d) Such account shall be credited with all contributions paid by such employer for periods subsequent to June thirtieth one thousand nine hundred forty-eight.

(e) Such account shall be charged with an amount determined by multiplying the wages of compensated employees of such employer for the twelve month period ended June thirtieth one thousand nine hundred forty-nine by the state experience heretofore used in determining rates of contribution for the year one thousand nine hundred forty-nine.

(f) Subsequent to June thirtieth one thousand nine hundred forty-nine such account shall be charged with all compensation by even dollars paid to each individual who received from such employer wage credits constituting the base of such compensation in the proportion that such wage credits with such employer bears to the total wage credits received by such individual from all employers. Provided that no compensation shall be charged to such account under the provisions of this subsection (f) if a charge has been made under any other provision of this section to such account with respect to the wages of the compensated employee upon which such compensation was based.

(g) Any employer at any time may voluntarily pay into the Unemployment Compensation Fund an amount in excess of the contributions required to be paid under the provisions of this act and such amount shall be forthwith credited to his reserve account. His rate of contribution shall be computed or recomputed as the case may be with such amount included in the calculation to affect such employer's rate of contribution for any year such amount shall be paid not later than thirty days following the mailing of notice of his rate of contribution for such year. Provided that for good cause such time may be extended by the department and provided further that such amount when paid as aforesaid shall not be refunded or used as a credit in the payment of contributions in whole or in part. In no event shall any such amount be included in the computation or recomputation for any year unless it is paid within one hundred twenty days after the beginning of such year.

(h) For the purpose of determining any employer's rate of contribution for any year the phrase the "balance in an employer's reserve account" as used in section 301 hereof shall mean the difference between the amounts computed or ascertained as provided in this section which have been credited or charged respectively to his reserve account either for the period during which he shall have been subject to this act ending on such year's computation date or the immediately preceding three twelve-month periods ending on such computation date whichever amount shall be the greater.

(i) The department shall terminate the reserve account of any employer who has not paid contributions for a period of four consecutive twelve month periods ending June thirtieth in any year.

(j) Nothing contained in this act shall be construed to grant to any employer any claim or right of withdrawal with respect to any amount allocated to him from or paid by him into the Unemployment Compensation

tion Fund except as provided in section three hundred eleven hereof

Section 5 The said act is hereby amended by adding thereto a new section 303 as follows

Section 303 Revision of Reserve Effect Increases or reductions of any employer's reserve account shall not affect the reserve account theretofore established for any other employer and shall not affect any other computation made under the provisions of this act

Section 6 Section three hundred thirteen of the said act is hereby repealed

Section 7 Subsection (a) of section five hundred one of the said act as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby further amended to read as follows

Section 501 Determination of Compensation Appeals (a) The department shall promptly examine each application for benefits and on the basis of the facts found by it shall determine whether or not the application is valid Notice shall be given by the department in writing to the claimant and each base-year employer of the claimant stating whether or not the claimant is eligible under section four hundred and one (a) and if declared eligible thereunder the weekly benefit rate and the maximum amount of compensation payable Provided That where the ["Employer's Experience"] reserve account of a base year employer has been transferred to a successor-in-interest such notice shall be given to the successor-in-interest and not to the original base-year employer and Provided further That no notice need be given to a base-year employer who has been released by the department from filing contribution reports

Section 8 Section five hundred two of the said act as last amended by the act approved the twenty-third day of April one thousand nine hundred forty-two (P L 60) is hereby further amended to read as follows

Section 502 Decision of referee further appeals and reviews where an appeal from the determination or revised determination as the case may be of the department is taken a referee shall after affording the parties reasonable opportunity for a fair hearing affirm modify or reverse such findings of fact and the determination or revised determination as the case may be of the department as to him shall appear just and proper the parties shall be duly notified of the referee's decision and the reason therefor which shall be deemed the final decision of the board unless within ten days after the date of such decision the board acts on its own motion or upon application permits any of the parties to institute a further appeal before the board of memorandum of testimony of any hearing before any referee shall be made and be preserved for a period of two years notwithstanding any other provisions of this act to the contrary with any appeal or further appeal filed by an employer with the board the employer shall be required to pay a filing fee in an amount which under rules and regulations adopted by the board shall be determined to be reasonably representative of the costs incident to such appeal provided that such fee shall be refunded if the claimant is finally denied benefits or awarded benefits in an amount less than the amount of the award from which the appeal was taken such fees shall be deposited in the special administration fund and all refunds as provided herein shall be made from such fund

Section 9 Section six hundred one point one of said act as last amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P L 721) is hereby amended to read as follows

Section 601.1 Special Administration Fund There is hereby created a special fund separate and apart from all public moneys or funds of this Commonwealth to be known as the special administration fund under rules and regulations adopted by the department interest and penalties collected from employers under the provisions of this act and fees incident to appeals as provided in section five hundred two may be paid into the special administration fund such rules and regulations may pro-

vide for determining in any manner which payments of interest and penalties are to be paid into the special administration fund and which payments of interest and penalties are to be paid into the unemployment compensation fund There shall also be deposited in the Special Administration Fund moneys as provided in subsection (b) of section two hundred one of this act The moneys in this fund shall be used for the payment of costs of administration which are found not to have been properly and validly chargeable against Federal grants or other funds received for or in the administration fund and also for the purposes authorized in subsection (b) of section two hundred one of this act Said moneys shall not be expended or available for expenditure in any manner which would permit their substitution for or as corresponding reduction in Federal funds which would in the absence of said moneys be available to finance expenditures for the administration of this act Nothing in this section shall prevent said moneys from being used as a revolving fund to cover expenditures necessary and proper under the law for which Federal funds have been duly requested but not yet received subject to the charging of such expenditures against such funds when received the State Treasurer shall make payment of obligations from the special administration fund as herein provided upon requisition of the secretary and certification by him that no other funds are available or can properly be used to finance such expenditures the moneys in this fund are hereby specifically made available to replace any moneys received pursuant to section three hundred and two of the Federal Social Security Act as amended which because of any action or contingency have been lost or have been expended for purposes other than or in amounts in excess of those necessary for the proper administration of this act and are available for such replacement whether or not such moneys were expended or the obligations covering such expenditures were incurred prior or subsequent to the enactment of this amendment The moneys in this fund shall be continuously available for expenditure in accordance with the provisions of this section and shall not lapse at any time or be transferred to any other fund except as herein provided and as provided under [section] sections three hundred [and] eleven and five hundred two wherein an amount equal to any refund or credit of interest or penalties shall be transferred from the special administration fund to the unemployment compensation fund

Section 10 Section seven hundred two of said act is hereby amended to read as follows

Section 702 Limitation of Fees No employer or employee shall be charged fees of any kind in any proceeding under this act by the department the board or any of its officers or agents except as provided in section five hundred two Any individual claiming compensation in any proceeding before the department the board or referee may be represented by counsel or other duly authorized agent but no such counsel or agent shall either charge or receive any greater fee for such services than is approved by the board any person who violates any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars or be imprisoned for not more than six months or both

Section 11 (a) An employer who prior to the first day of July one thousand nine hundred forty-nine had acquired an organization trade or business in whole or in part from another employer shall be entitled to a redetermination of the balance in the reserve account assigned to him as of June thirtieth one thousand nine hundred forty-eight under the provisions of this act upon application made by him within thirty days after notification of his rate of contribution under the provisions of this act for the calendar year one thousand nine hundred forty-nine

(b) In such case he shall be entitled to credits and charges to his reserve account appertaining to the records of such preceding employer provided that he establishes

to the satisfaction of the department the year within which such preceding employer first became subject to such act

(c) In ascertaining such credits and charges the provisions of section three hundred two shall be applied in which application it shall be deemed that as used therein

(1) "Contributions paid by such employer" as used in sub-sections (a) and (d) of such section includes contributions paid by such preceding employer with respect to the whole or that part of the organization trade or business transferred as the case may be

(2) "Wages of compensated employees" as used in sub-sections (b) and (e) of such section includes such wages of such preceding employer

(3) "Employers subject to this act on or before June thirtieth one thousand nine hundred forty-five" as used in subsection (c) of such section includes any employer who succeeded to the organization trade or business in whole or in part of a preceding employer who was subject to such act on or before such date and

(4) "Average annual payroll" as used in subsection (c) of such section includes annual payrolls of such preceding employer

(d) In respect to acquisitions referred to in this section which occurred prior to the first day of July, one thousand nine hundred forty-five such employer shall be deemed to be segregated into that category into which such preceding employer would have been segregated under the provisions of subsection (c) of such section and the credit to which he shall be entitled thereunder shall be determined by the application of the ratio mentioned in subparagraph (6) of such subsection which is applicable to such category

(e) Any change in an employer's reserve account resulting from the application of this section shall not affect the reserve account theretofore established for any other employer and shall further not affect any other calculation made under the provisions of the act which this act amends

Section 12 (a) After the rates of contributions for each employer have been computed for the calendar year one thousand nine hundred forty-nine under the provisions of section three hundred one hereof as herein amended an employer whose rate so computed is greater than the rate computed for him in accordance with the provisions of this act in effect prior to the effective date of this amendment shall pay contributions with respect to the calendar year one thousand nine hundred forty-nine at the lesser rate

(b) Notwithstanding any provision of this act or of the act amended by this act the excess of any contribution paid by any employer with respect to the calendar year one thousand nine hundred forty-nine over the amount determined by the application of his rate of contribution for such year computed under the provisions of section three hundred one hereof as herein amended shall be deemed to have been erroneously paid and shall be allowed by the department as a credit without interest in connection with subsequent payments of contributions by such employer

Section 13 This act shall become effective immediately upon its final enactment and shall apply in the determination of rates of contribution for the calendar year one thousand nine hundred forty-nine and thereafter

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 367

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 367.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—42

Berger.	Geltz.	Pechan.	Taylor.
Blass.	Hare.	Peelor.	Toole.
Chapman.	Homsher.	Robinson.	Wade.
Crowe.	Kephart.	Rosenfeld.	Wagner.
Dent.	Leader.	Ruth.	Walker.
Diehm.	Letzler.	Scarlett.	Watkins.
DiSilvestro.	Lord.	Snowden.	Watson.
Doehla.	Mahany.	Stevenson.	Wolfe.
Donlan.	Mallery.	Tallman.	Wood, L. H.
Farrell.	McPherson, Jr.	Tarr.	Wood, T. N.
Frazier.	Meade.		

#### NAYS—8

Barr.	Haluska.	Lane.	Stiefel.
Barrett.	Holland.	Neff.	Yosko.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### STUDENTS FROM TEMPLE UNIVERSITY AND UNIVERSITY OF PENNSYLVANIA PRESENTED TO SENATE

Mr. FRAZIER. Mr. President, it has been my privilege for quite sometime to have the honor of working with the young men of Philadelphia who are interested in learning about government, and I think it is a fine thing that the young folks are taking an interest.

As you know, Mr. President, they are attending the Intercollegiate Conference on Government, which meets each year at the University of Pennsylvania. They are doing a fine job at Temple, I know they are doing a fine job because their instructor has been on my neck time and again for service and assistance.

Mr. President, it is a privilege and honor for me to present some thirty delegates from Temple University and the University of Pennsylvania, so they may take a bow.

The PRESIDENT. The Chair, on behalf of the Members of the Senate, wishes to welcome the students from Temple University and the University of Pennsylvania, and we hope that you enjoy the closing portion of the Session.

#### COMMITTEE OF CONFERENCE ON SENATE BILL No. 286 DISCHARGED

Mr. WALKER. Mr. President, I move that the Committee of Conference, on the part of the Senate, on Senate Bill No. 286, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal

Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," eliminating certain obsolete provisions thereof clarifying certain definitions and terms, changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

be discharged.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 872

Mr. WATKINS. Mr. President, I submit the report of the Committee of Conference on House Bill No. 872, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379) entitled "Third Class County Board Assessment Law," by providing for annual assessments; abolishing triennial assessments; providing for fixing of salaries of subordinate assessors; limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made; and making assessments applicable to taxation for institution district purposes.

The PRESIDENT. The report will lie over for printing under the rules.

#### SENATE RESOLUTION

#### DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE SEVERAL SURVEYS CONNECTED WITH THE PENNSYLVANIA LIQUOR CONTROL BOARD

Mr. YOSKO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. YOSKO, DENT and BARR, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 28, 1949.

Resolved, That the Joint State Government Commission is hereby directed (1) to make a survey of available warehouse facilities suitable for use by the Pennsylvania Liquor Control Board and the rental terms thereof; (2) to make an investigation of the reasonableness of the rentals previously and currently being charged; (3) to determine whether the present warehouse facilities are properly located for efficient and economical distribution and (4) to determine the feasibility of having the Pennsylvania Liquor Control Board either purchase or construct and operate its own warehouses and the savings which might result therefrom to the Commonwealth of Pennsylvania; and be it further

Resolved, That the Joint State Government Commission shall file a report of its findings and recommendations by January 15, 1951 to the next regular session of the General Assembly.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

#### NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

#### MEMBERS OF THE BOARD OF TRUSTEES OF CLARKS SUMMIT STATE HOSPITAL

Commonwealth of Pennsylvania

Governor's Office Harrisburg, April 28, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Clarks Summit State Hospital, for the term of four years, and until their successors are qualified:

Worthington Scranton, 800 Linden Street, Scranton, Lackawanna County. (Reappointment)

Esdras Howell, 909 Walnut Street, Clarks Summit, Lackawanna County, vice Frank Suraci, Scranton, whose term expired.

Dr. Frank P. Colizzo, 1201 Washburn Street, Scranton, Lackawanna County, vice James Veras, Dunmore, whose term expired.

Dr. Edward F. Gombar, 522 Sanderson Avenue, Throop, Lackawanna County, vice Steven DuBernas, Old Forge, whose term expired.

Miss Reba Griffith, 515 Park Street, Taylor, Lackawanna County, vice Howard Becker, Scranton, whose term expired.

Milo Coolbaugh, 1125 Spring Brook Avenue, Moosic, Lackawanna County, vice Herbert S. Jones, Scranton, whose term expired.

Laten Blackwell, R. D. 2, Clarks Summit, Lackawanna County, vice John H. Pritchard, Scranton, whose term expired.

Evan Parry, Third Street, Blakely, Peckville P. O., Lackawanna County, vice Philo W. Butler, Scranton, resigned.

JAMES H. DUFF,

#### MEMBERS OF THE BOARD OF TRUSTEES OF RETREAT STATE HOSPITAL

Commonwealth of Pennsylvania

Governor's Office Harrisburg, April 28, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appoint as Members of the Board of Trustees of Retreat State Hospital, for the term of four years, and until their successors are qualified:

Dr. L. C. Rummage, 137 State Street, Nanticoke, Luzerne County.

Dr. Elmer Williams, 13 Gaylord Avenue, Plymouth, Luzerne County.

George Ichter, 61 Manhattan Street, Ashley, Luzerne County.

Leonard Corgan, 390 Ridge Avenue, Kingston, Luzerne County.

Dr. Walter Kozik, 22 South Main Street, Plains, Luzerne County.

Dr. Joseph Cooper, Iona Place, Hanover Township, Luzerne County.

JAMES H. DUFF,

# MEMBER OF THE BUTLER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1948.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Nancy Mateer (Republican), 619 North McKean Street, Butler, Butler County, for appointment as a Member of the Butler County Board of Assistance, to serve until December 31, 1951, and until her successor is duly appointed and qualified, vice Mrs. Madge S. McMichael, Butler, resigned.

JAMES H. DUFF.

## NOTARIES PUBLIC

He also, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

## CONSIDERATION OF NOTARIES PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 28, 1949.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

### ALLEGHENY COUNTY

Herbert V. Brownlee, Dormont.  
Albert Ornealas, Pittsburgh, St. Nicholas Bldg.

### BEAVER COUNTY

Miss Irene Jozsa, Aliquippa.

### BUTLER COUNTY

Paul H. Croll, Butler.

### LACKAWANNA COUNTY

Robert Thomas Kelly, Scranton.

### LUZERNE COUNTY

John Kopetchny, Swoyersville.

### SCHUYLKILL COUNTY

T. J. Maurer, Pottsville.

JAMES H. DUFF.

A motion was made by Mr. WALKER and Mr. HARE, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,  
Barrett,  
Berger,  
Blass,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Geltz,  
Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Meade,  
Neff,  
Pechan,  
Peelor,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Tarr,  
Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.  
(The Senate was at ease).

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

## MEMBERS OF THE BOARD OF TRUSTEES OF RETREAT STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Retreat State Hospital, for the term of four years, and until their successors are qualified:

Dr. L. C. Rummage, 137 State Street, Nanticoke, Luzerne County.

Dr. Elmer Williams, 13 Gaylord Avenue, Plymouth, Luzerne County.

George Ichter, 61 Manhattan Street, Ashley, Luzerne County.

Leonard Corgan, 390 Ridge Avenue, Kingston, Luzerne County.

Dr. Walter Kozik, 22 South Main Street, Plans, Luzerne County.

Dr. Joseph Cooper, Iona Place, Hanover Township, Luzerne County.

JAMES H. DUFF.

## MEMBERS OF THE BOARD OF TRUSTEES OF CLARKS SUMMIT STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Clarks Summit State Hospital, for the term of four years, and until their successors are qualified:

Worthington Scranton, 800 Linden Street, Scranton, Lackawanna County. (Reappointment)

Esdras Howell, 909 Walnut Street, Clarks Summit,

Lackawanna County, vice Frank Suraci, Scranton, whose term expired.

Dr. Frank P. Colizzo, 1201 Washburn Street, Scranton, Lackawanna County, vice James Veras, Dunmore, whose term expired.

Dr. Edward F. Gombar, 522 Sanderson Avenue, Throop, Lackawanna County, vice Steven DuBernas, Old Forge, whose term expired.

Miss Reba Griffith, 551 Park Street, Taylor, Lackawanna County, vice Howard Becker, Scranton, whose term expired.

Milo Coolbaugh, 1125 Spring Brook Avenue, Moosic, Lackawanna County, vice Herbert S. Jones, Scranton, whose term expired.

Laten Blackwell, R. D. 2, Clarks Summit, Lackawanna County, vice John H. Pritchard, Scranton, whose term expired.

Evan Parry, Third Street, Blakely, Peckville P. O., Lackawanna County, vice Philo W. Butler, Scranton, resigned.

JAMES H. DUFF.

#### MEMBER OF THE BUTLER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Nancy Mateer (Republican), 619 North McKean Street, Butler, Butler County, for appointment as a Member of the Butler County Board of Assistance, to serve until December 31, 1951, and until her successor is duly appointed and qualified, vice Mrs. Madge S. McMichael, Butler, resigned.

JAMES H. DUFF.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS RULE 38 SUSPENDED

By unanimous consent,

R motion was made by Mr. T. NEWELL WOOD and Mr. HARE,

To grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. NEWELL WOOD and Mr. HARE

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett.	Haluska,	Neff,	Taylor.
Berger.	Hare,	Pechan,	Toole.
Blass.	Holland.	Peelor,	Wade.
Chapman.	Homsher.	Robinson,	Wagner.
Crowe.	Kephart.	Rosenfeld,	Walker.
Dent.	Lane,	Ruth,	Watkins.
Diehm.	Leader,	Scarlett,	Watson.
DiSilvestro.	Letzler,	Snowden,	Wolfe.
Doehla.	Lord,	Stevenson,	Wood, L. H.,
Donlan.	Mahany,	Stiefel,	Wood, T. N.,
Farrell.	Mallery,	Tallman,	Yosko.
Frazier.	McPherson, Jr.,		

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Mr. T. NEWELL WOOD. Mr. President, I move that the Executive Session do now rise.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 796 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call up for consideration at this time the Report of the Committee of Conference on Senate Bill No. 796.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 796

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 796, as follows:

#### Report of the Committee of Conference on Senate Bill No. 796

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 796, entitled: "An act fixing the compensation and mileage of county auditors in counties of the sixth and seventh class."

Respectfully submit the following bill as our report:

GEORGE N. WADE,  
DONALD P. McPHERSON, Jr.,  
FRANK W. RUTH,  
(Committee on the Part of the Senate.)

ROBERT F. KENT,  
HAROLD E. FLACK,  
JAMES D. COLE,  
(Committee on the part of the House of Representatives.)

An Act fixing the compensation and mileage of county auditors in counties of the sixth and seventh class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The county auditors in counties of the sixth and seventh class shall receive seven dollars fifty cent (\$7.50) for each day necessarily employed in the discharge of their duties together with six cents per mile circulated from and to their homes once each and every day so employed.

Section 2 The act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1634) entitled "An act fixing the compensation and mileage of auditors and jury commissioners in counties of the sixth class" is hereby repealed absolutely The act approved the twelfth day of May one thousand eight hundred eighty seven (P. L. 95) entitled "An act regulating the compensation of county auditors within this Commonwealth" is hereby repealed insofar as it is inconsistent with the provisions of this act

On the question,

Will the Senate adopt the report of the Committee of Conference?

# SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 796

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 796.

Mr. HARE. Mr. President, I second the motion.  
On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DISilvestro,	Letzler,	Snowden,	Wolfe,
Doshla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frasier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

# REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 695

Mr. T. NEWELL WOOD. Mr. President, I desire to make a report from the Committee of Conference on House Bill No. 695, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-seven (P. L. 318) entitled "The C. P. A. Law," by prescribing educational and regulating use of the word "certified" or any abbreviation thereof or its initial letter.

I wish to advise that the Committee of Conference was unable to agree.

The PRESIDENT. The report of the Committee of Conference will be filed.

## BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 409, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process,

and providing penalties," by extending service allowance of certain employees.

Senate Bill No. 689, entitled:

An Act to further amend section five hundred twenty-one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by eliminating the requirement that contractors file with the Commonwealth certified payrolls of work done under public works contracts.

Senate Bill No. 917, entitled:

An Act to amend the title and section one of the act, approved the twenty-third day of May, one thousand nine hundred forty-seven (P. L. 293), entitled "An act permitting certain personnel of State owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases," by including managers of veterans administration hospitals within the provisions of the act.

Senate Bill No. 926, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey or to lease subject to certain terms and conditions a certain tract of land and a certain right of way in the Township of Upper Saint Clair, County of Allegheny, Pennsylvania.

Senate Bill No. 970, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and of the United States of America, to sell at public sale to the highest bidder a part of certain real estate located in Dauphin County recently acquired by the Commonwealth from the Reconstruction Finance Corporation.

Senate Bill No. 978, entitled:

An Act to amend the title and the act, approved the fifteenth day of June, one thousand nine hundred, thirty-seven (P. L. 1743), entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon and prohibiting certain practices by magistrates; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of additional clerks and fixing their compensation; regulating the practice in magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts, and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing salaries of persons em-

ployed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior act," by further regulating magistrates and magistrates' courts and practice; increasing the salary of magistrates; defining additional unlawful practices; imposing duties upon the Attorney General and the District Attorney; and repealing certain sections and inconsistent legislation.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

### HOUSE MESSAGE

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 105

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 105, entitled:

An Act to further amend sections two hundred five and two hundred nine and to amend section four hundred forty-two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, board, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions;; defining the powers and duties of the Governor and other executive and administrative officers, and the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commission; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by changing and fixing the salaries of certain officers of the Commonwealth.

### BILL SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the titles was publicly read as follows:

Senate Bill No. 105, entitled:

An Act to further amend sections two hundred five and two hundred nine and to amend section four hundred forty-two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, board, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions;; defining the powers and duties of the Governor and other executive and administrative officers, and the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and ad-

ministrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commission; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by changing and fixing the salaries of certain officers of the Commonwealth.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

#### COMMITTEE APPOINTED TO NOTIFY THE GOVERNOR THE SENATE IS READY TO ADJOURN SINE DIE

The PRESIDENT. The President pro tempore appoints as a committee to notify the Governor that the Senate is ready to adjourn sine die, the gentleman from Potter, Mr. Berger; the gentleman from Lancaster, Mr. Diehm, and the gentleman from Allegheny, Mr. Barr.

#### COMMITTEE APPOINTED TO NOTIFY THE HOUSE THE SENATE IS READY TO ADJOURN SINE DIE

The PRESIDENT. The President pro tempore appoints as a committee to notify the House that the Senate is ready to adjourn sine die, the gentleman from Somerset, Mr. Hare; the gentleman from Adams, Mr. McPherson, and the gentleman from Cambria, Mr. Haluska.

### NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

#### MEMBER OF THE PENNSYLVANIA LIQUOR CONTROL BOARD

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, April 28, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David R. Perry, 2219 Page Street, Camp Hill, Cumberland County, for appointment as a Member of the Pennsylvania Liquor Control Board, to serve until March 7, 1954, and until his successor shall have been appointed and qualified, vice Charles C. McGovern, Pittsburgh, resigned.

JAMES H. DUFF.

#### WORKMEN'S COMPENSATION REFEREE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, April 28, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles C. McGovern, 1022 Grandview Avenue, Pittsburgh, Allegheny County, for the appointment as a Workmen's Compensation Referee, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified, vice William Johnston Curtis, Sewickley, deceased.

JAMES H. DUFF.

# MEMBERS OF THE WORKMEN'S COMPENSATION BOARD

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Workmen's Compensation Board:

Daniel G. Murphy, Esq., 5956 Overbrook Avenue, Philadelphia, Philadelphia County, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified.

Wilmer M. Jacoby, 1043 South Negley Avenue, Pittsburgh, Allegheny County, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified.

Leo G. Knoll, 9 Hillcrest Drive, Dickson City, Lackawanna County to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

# MEMBERS OF THE REGISTRATION COMMISSION, CITY OF PITTSBURGH

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Registration Commission in and for the City of Pittsburgh, to serve until January 6, 1953, and until their successors shall have been appointed and qualified:

Edward L. Flaherty (Democrat), 5924 Ellwood Street, Pittsburgh, Allegheny County.

James A. Conway (Republican), 218 Birmingham Avenue, Pittsburgh, Allegheny County.

Fred E. Obley (Republican), 245 Lothrop Street, Pittsburgh, Allegheny County.

JAMES H. DUFF.

# COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 105,  
PRINTER'S No. 752

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 105, Printer's No. 752, entitled "An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers

fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by changing and fixing the salaries of certain officers of the Commonwealth."

JAMES H. DUFF.

(The Senate was at ease.)

# REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

# MEMBER OF THE PENNSYLVANIA LIQUOR CONTROL BOARD

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David R. Perry, 2219 Page Street, Camp Hill, Cumberland County, for appointment as a Member of the Pennsylvania Liquor Control Board, to serve until March 7, 1954, and until his successor shall have been appointed and qualified, vice Charles C McGovern, Pittsburgh, resigned.

JAMES H. DUFF.

# WORKMEN'S COMPENSATION REFEREE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles C. McGovern, 1022 Grandview Avenue, Pittsburgh, Allegheny County, for appointment as a Workmen's Compensation Referee, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified, vice William Johnston Curtis, Sewickley, deceased.

JAMES H. DUFF.

# MEMBERS OF THE WORKMEN'S COMPENSATION BOARD

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Workmen's Compensation Board:

Daniel G. Murphy, Esq., 5956 Overbrook Avenue, Philadelphia, Philadelphia County, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified.

Wilmer M. Jacoby, 1043 South Negley Avenue, Pittsburgh, Allegheny County, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified.

Leo G. Knoll, 9 Hilcrest Drive, Dickson City, Lackawanna County to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

MEMBERS OF THE REGISTRATION COMMISSION,  
CITY OF PITTSBURGH

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Registration Commission in and for the City of Pittsburgh, to serve until January 6, 1953, and until their successors shall have been appointed and qualified:

Edward L. Flaherty (Democrat), 5924 Ellwood Street, Pittsburgh, Allegheny County.  
James A. Conway (Republican), 218 Birmingham Avenue, Pittsburgh, Allegheny County.  
Fred E. Obley (Republican), 245 Lothrop Street, Pittsburgh, Allegheny County.

JAMES H. DUFF.

CONSIDERATION OF EXECUTIVE NOMINATIONS  
RULE 38 SUSPENDED

By unanimous consent,

A motion was made by Mr. WALKER and Mr. HARE,

To grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. WALKER and Mr. HARE,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, there are two members of the Liquor Control Board present. Commissioner Armstrong is in the back of the Chamber, and I think he should come forward and congratulate his colleague.

Mr. President, may I suggest to the two members of the Board that Senator Barr's file on the art and science of regulating the liquor industry is at your disposal.

Mr. DENT. Mr. President, I want to congratulate them, also. I have friends that get in trouble once in awhile, too.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WALKER. Mr. President, I move that the Executive Session do now rise.

Mr. HARE. Mr. President, I second the motion

The motion was agreed to

HOUSE MESSAGES

HOUSE ADOPTS REPORT OF COMMITTEE OF  
CONFERENCE ON HOUSE BILL NO. 872

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 872, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379) entitled "Third Class County Board Assessment Law," by providing for annual assessments; abolishing triennial assessments; providing for fixing of salaries of subordinate assessors; limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made; and making assessments applicable to taxation for institution district purposes.

HOUSE ADOPTS REPORT OF COMMITTEE  
OF CONFERENCE ON HOUSE BILL NO. 394

He also informed the Senate that the House had adopted the report of Committee of Conference on House Bill No. 394, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," as heretofore amended and reenacted, by changing the fiscal year and the dates for meetings, budgets, taxation, audits, and reports changing the compensation of supervisors and auditors and the expense allowance of delegates, providing for appointment of non-resident persons as tax collectors and policemen, authorizing police pension annuities, empowering supervisors to acquire and operate airports, to establish police protection districts and assess the cost thereof, to widen, deepen and embank water-courses, to employ township managers and certified public accountants, changing the definition of volunteer firemen for workmen's compensation insurance purposes, the method of advertising for bids, the limitation on taxes for fire hydrant purposes, the requirements for street and road improvements, and the vote of supervisors required for zoning changes, and clarifying and revising certain provisions of said act.

HOUSE DISCHARGES COMMITTEE OF CONFERENCE  
ON HOUSE BILL NO. 1016

He also informed the Senate that the House has discharged the House Committee of Conference on House Bill No. 1016, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code" changing the definition of "tractor" and adding the definition "farm tractor"; and further providing for the classification of and the annual registration fees for tractors.

HOUSE RECEDES FROM ITS NON-CONCURRENCE IN  
AMENDMENTS MADE BY THE SENATE TO  
HOUSE BILL NO. 1016

He also informed the Senate that the House has receded

from its non-concurrence in amendments made by the Senate to House Bill No. 1016, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code" changing the definition of "tractor" and adding the definition "farm tractor"; and further providing for the classification of and the annual registration fees for tractors.

and that the House has concurred in the amendments.

#### COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1016 DISCHARGED

Mr. WALKER. Mr. President, I move that the Committee of Conference, appointed on the part of the Senate, on House Bill No. 1016, be discharged.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE RECEDES FROM ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 28

He also informed the Senate that the House has reached from its non-concurrence in amendments made by the Senate to House Bill No. 28, entitled:

An Act to further amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, and four thousand three hundred twenty-four of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-nine (P. L. 932), entitled "Third Class City Law," further regulating the retirement of firemen on pensions; and requiring certain payments to be made to the Firemen's Pension Fund by cities.

and that the House has concurred in the amendments.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 872 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call up for consideration at this time the Report of the Committee of Conference on House Bill No. 872.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 872

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 872, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 872, entitled: "An act to further amend the act approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 379) entitled 'An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property and occupations for county, borough, town, township, school and poor purposes; authorizing the appointment of subordinate assessors a solicitor, engineers and clerks; providing for their

compensation payable by such counties; abolishing the office of ward, borough and township assessors so far as the making of assessments and valuations for taxation is concerned, and providing for the acceptance of this act by cities,' by providing for annual assessments, abolishing triennial assessments, providing for fixing of salaries of subordinate assessors, limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made, and making assessments applicable to taxation for institution district purposes, \* \* \*

Respectively submit the following bill as our report:

G. ROBERT WATKINS,  
ANTHONY J. DISILVESTRO,  
GEORGE B. SCARLETT,  
(Committee on the Part of the Senate.)

HAROLD E. FLACK,  
JAMES N. ROBERTSON,  
J. HIRAM SWOPE,  
(Committee on the Part of the House  
of Representatives.)

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by providing for annual assessments abolishing triennial assessments providing for fixing of salaries of subordinate assessors limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made and making assessments applicable to taxation for institution district purposes and providing for the preparation of duplicates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three four five six and seven of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" section four of which was repealed in so far as it limited the compensation of subordinate assessors by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1308) are hereby amended to read as follows

Section 3 It shall be the duty of said board in each county to which this act applies to make and have supervision of the making of [all] annual assessments of persons property and occupation now or hereafter made subject to assessment for taxation for county borough town township school [and] poor and institution district pur-

poses The making of triennial assessments as provided by existing law is hereby abolished

Section 4 The said board shall divide the county into convenient districts which it may change as occasion may require and shall appoint subordinate assessors for said districts The subordinate assessors shall receive such compensation as the salary board shall fix [not exceeding two thousand dollars per annum] which salaries shall be paid out of the county treasury The said board shall also have the right to appoint an engineer or engineers and such clerks at such salaries as the salary board of the county may allow for the proper discharge of the duties of said board which salaries shall be paid out of the county treasury

Section 5 The said board may prescribe rules and regulations for the conduct of said subordinate assessors determine when precepts shall be issued to them and when they shall make returns to said board [both in triennial and intermediate years]

Section 6 The [field] subordinate assessors shall make the [triennial] annual assessment of all property and persons taxable upon occupations subject to assessment for taxation for aforesaid purposes together with a list of all persons subject to a school per capita tax or a poll tax within their respective districts and in so doing shall view all properties in their district taxable for said purposes and shall make a personal house to house canvass for their district in order that the lists of persons taxable upon occupation or subject to a school per capita or poll tax may be accurate and correct insofar as it is possible to make them They shall also have and possess except as modified by this act the same powers and perform the same duties and be subject to the same liabilities as are now or shall hereafter be conferred or imposed upon borough ward town and township assessors with respect to making assessments and valuations for taxation purposes All such assessors who shall fail to make assessments and lists in the manner herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and in default of the payment of such fine and costs to undergo an imprisonment not exceeding ninety days

Section 7 The said board shall before the fifteenth day of September examine and revise the said [triennial] annual assessments and valuations increasing or decreasing the same as in their judgment may seem proper and shall add thereto and assess such property or persons taxable upon occupations as may have been omitted and may also add thereto the names of any persons subject to a school per capita tax or poll tax as may have been omitted [After such revision the board shall fix convenient times for the hearing of appeals on said assessment and valuations and after the hearing of said appeals and the making of whatever changes may be considered proper the valuations as so ascertained and revised unless changed in the manner hereinafter provided shall stand as the assessments for taxation for the aforesaid purposes until the next triennial assessment]

The board shall before the first day of October prepare an assessment roll or list of persons and property subject to local taxation together with the value placed upon each person each parcel or tract of real property and the personal property of each person The board shall at the same time prepare a list of all property exempted by law from taxation

Section 2 Section eight of said act as amended by the act approved the twelfth day of April one thousand nine hundred thirty-five (P. L. 27) is hereby further amended to read as follows

Section 8 [It shall be the duty of said board to give notice by advertising in one or more newspapers printed in such county at least three weeks before the day of appeal of the time and place fixed for such appeal It shall also be the duty of the said board to give written or printed notice as hereinafter provided at least five days before the day of appeal to every taxable property owner

within such county of the amount or sum for which his property is assessed and of the time and place of such appeal]

(a) The assessment roll shall be open to public inspection at the office of the board at the county seat during ordinary business hours of each business day from the time of completion to and including the first day of November Upon completion of the assessment roll the board shall give notice by publication once in one or more newspapers published in the county that such assessment roll has been completed and the place and times when such roll will be open for inspection and shall in the same notice state that any person desiring to appeal from any assessment shall file with the board on or before the first day of November an appeal in writing designating the assessment appealed from

(b) Upon completion of the assessment roll but in no event later than the first day of October the board shall cause to be mailed to each owner of property or person assessed the value of whose property or personal assessment has not theretofore been separately fixed or the value of whose property or personal assessment has been changed from that finally fixed in the preceding assessment roll at his last known address a notice of such change and the amount of the old assessment if the property or personal assessment was previously separately assessed and the amount of the new assessment Such notice shall state that any person aggrieved by any assessment may appeal to the board for relief by filing with the board on or before the first day of November an appeal in writing designating the assessment or assessments by which such person is aggrieved and the address to which notice of the time and place for a hearing of the appeal shall be mailed

(c) An person aggrieved by any assessment whether or not the value thereof shall have been changed since the preceding annual assessment may appeal to the board for relief An person desiring to make an appeal shall on or before the first day of November file with the board an appeal in writing setting forth

(1) The assessment or assessments by which such person feels aggrieved

(2) The address to which the board shall mail notice of the time and place of hearing

(d) On the first Monday of November the board shall meet for the hearing of appeals and shall continue to meet for such purpose from time to time until all appeals have been heard and acted upon All appeals shall be heard and acted upon not later than the first day of January The board shall notify each person who has filed an appeal of the time and place of hearing on said appeal by depositing such notice in the mail addressed to such person at the address designated in the appeal not later than the tenth day preceding the day designated in the notice for such appearance Any person who shall fail to appear for hearing at the time fixed shall be conclusively presumed to have abandoned his appeal

(e) When the board has completed the hearing of appeals and has in each case entered its order it shall make such changes in the assessment roll as will make it conform to such orders When such corrections have been made the board shall prepare three copies of the assessment roll and deliver them with his certificate that they are a true copy of the original assessment roll to the following

(1) One copy to the chief clerk of the County Commissioners

(2) One copy of such portion of the roll as contain the assessment of persons or property within each school district to the secretary of the board of school directors of the respective school district and

(3) One copy of such portion of the roll as contains the assessment of persons of property within each city accepting the provisions of this act borough town or township to the respective city clerk borough secretary town clerk or secretary or township secretary All copies of such roll so furnished shall for all purposes be considered as originals The said copies in addition to the information required to be shown on the original assessment roll shall

provide space to the right of each assessment for the entry of all taxes which may be levied thereon by the respective political subdivisions. The original assessment roll as corrected after appeals shall be preserved in the office of the board or of the board and shall be open to public inspection subject to such regulations as the board may prescribe for the preservation and safekeeping of such roll.

(f) On or before the fifteenth day of January the board shall certify to the clerk or secretary of each political subdivision coming within the scope of this act within the county the value of real property the value of occupations and the number of persons subject to personal taxes appearing in the assessment roll and taxable by the respective political subdivisions.

Section 3 Section ten of said act is hereby repealed.

Section 4 Sections twelve fifteen and eighteen of said act are hereby amended to read as follows:

Section 12 After the hearing of any objections thereto and the making of any changes that may be deemed proper the valuation as so ascertained shall unless changed in the manner herein provided stand as the valuations for assessments for aforesaid purposes until [the next triennial] changed at any subsequent annual assessment.

Section 15 When the said valuations and assessments have been made all taxation on real estate and personal assessments for county borough town township school purposes (except in cities) institution district and poor purposes within the limits of such county shall be based upon such valuations and assessments.

Section 18 The corporate authorities of any borough town township school and poor district who may feel aggrieved by any assessment of property or subjects of taxation for its corporate purposes shall have the right to appeal therefrom in entirety or by individual assessments to the board or to the court of common pleas or the Superior or Supreme Court in the same manner subject to the same procedure and with like effect as if such appeal were taken by a taxable with respect to his property assessment and in addition may take an appeal from any decision of the board or court of common pleas though it had been a party to the proceedings before such board or court even though it was not such a party to the fact.

Section 5 The assessments made under the provisions of this act shall apply to taxes levied in the year one thousand nine hundred fifty-one and subsequent years and the assessments applicable to the taxes levied in the years prior to one thousand nine hundred fifty-one shall be made in accordance with the provisions of law applicable to triennial and intermediate assessments in effect at the time of the adoption of this act.

Section 6 The provisions of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" are not repealed hereby except insofar as the same are inconsistent with the provisions hereof.

Section 7 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty.

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 872

Mr. WALKER. Mr. President, I move that the Senate

adopt the report of the Committee of Conference on House Bill No. 872.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 394 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call up for consideration at this time the Report of the Committee of Conference on House Bill No. 394.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 394

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 394, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 394, entitled: "An act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class and amending, revising, consolidating and changing the law relating thereto," changing the compensation of supervisors and auditors; increasing compensation for attending conventions of county associations; changing permissible payments to secretaries of county associations and payments of dues by townships to state associations and the expense allowance of delegates; providing for appointment of policemen; authorizing police pension annuities to widen, deepen and embank water-courses, to employ township managers and certified public accountants, to regulate the election of supervisors in certain cases; providing for the levy of taxes for fire protection services; changing the definition of volunteer firemen for workmen's compensation insurance purposes, the method of advertising for bids, the limitation on taxes for fire hydrant purposes, the requirements for street and road improvements and the vote of supervisors required for zoning changes; and clarifying and revising certain provisions of said act."

Respectfully submit the following bill as our report:

R. B. MAHANY,  
JOHN G. SNOWDEN,  
BURTON E. TARR,  
(Committee on the part of the Senate.)

NORMAN WOOD,  
JAMES N. ROBERTSON,  
J. HIRAM SWOPE,

(Committee on the Part of the House of Representatives.)

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" changing the compensation of supervisors and auditors increasing compensation for attending conventions of county associations changing permissible payments to secretaries of county associations and payment of dues by townships to state associations and the expense allowance of delegates providing for appointment of policemen authorizing police pension annuities to widen deepen and embank water-courses to employ township managers and certified public accountants to regulate the election of supervisors in certain cases providing for the levy of taxes for fire protection services changing the definition of volunteer firemen for workmen's compensation insurance purposes the method of advertising for bids the limitation on taxes for fire hydrant purposes the requirements for street and road improvements and the vote of supervisors required for zoning changes and clarifying and revising certain provisions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 303 420 and 511 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby further amended to read as follows

Section 303 Petition to Court Commissioners Report Upon application by petition the court shall appoint three impartial citizens as commissioners one of whom shall be a registered surveyor or engineer to inquire into the prayer of the petition After having given notice to parties interested as directed by the court the commissioners shall hold a hearing and view the lines or boundaries and they or any two of them shall make a plot or draft of the lines and boundaries proposed to be altered or ascertained and established if the same cannot be fully designated by natural lines or boundaries The commissioners or any two of them shall make report to the court together with their opinion of the same Upon the filing of any such report the same shall be confirmed nisi and the court may by its order require such notice to be given by the petitioners to the parties interested as it deems proper

Section 420 Supervisors If the electors of any township shall fail to choose a supervisor or if any person elected to such office shall neglect or refuse to serve therein or if a vacancy shall occur in the office by death resignation removal from the township or otherwise the two remaining supervisors may appoint a successor to hold the office until the first Monday of January succeeding the first municipal election occurring at least sixty days after the office became vacant at which election a supervisor shall be elected for the unexpired term when a vacancy is so filled the supervisors shall within fifteen days thereafter certify such appointment to the clerk of the court of quarter sessions

If the two remaining supervisors in the event of a vacancy as aforesaid shall be unable to agree on such appointment for a period of thirty days after such vacancy occurs the court of quarter sessions shall upon the presentation of a petition signed by a supervisor and by not less than five registered electors appoint a person to hold such office for the unexpired term

Section 511 Organization Meeting Appointment of Secretary and Treasurer The supervisors of each township shall meet at a convenient time and place on the first Monday in January of each year [The] At such times the township supervisors shall organize as a board by

electing one of their number as chairman The board shall appoint a treasurer and a secretary who shall be the same person and who may or may not be a member of the board except where the board selects a trust company or a banking institution to act as treasurer in which case it shall elect an individual as secretary

Section 2 Section 515 of said act as so reenacted and amended and as amended by the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 75) is hereby further amended to read as follows

Section 515 Compensation of Supervisors Supervisors shall receive from the general township fund as compensation not less than four dollars [(\$4)] nor more than six dollars [(\$6)] for each meeting which they attend The amount of the compensation for attending meetings shall also allow to the supervisors reasonable compensation for making a semi-annual inspection of the roads and bridges The compensation of supervisors when acting as superintendents roadmasters or laborers shall be fixed by the township auditors either per hour per day per week semi-monthly or monthly which compensation shall not exceed compensation paid in the locality for similar services and such other reasonable compensation for the use of vehicular equipment when required and actually used as the auditors shall determine and approve but no supervisor shall receive compensation as a superintendent or roadmaster for any day he receives compensation for attending a meeting of supervisors unless such meeting is held during the nighttime

Section 3 Sections 520 and 532 of said act as so reenacted and amended are hereby further amended to read as follows

Section 520 Interest in Contracts and Purchases Penalty [Any] Except as otherwise provided in section 802 of this act any township supervisor superintendent or roadmaster who is knowingly interested directly or indirectly in any purchase made or contract relating to roads and bridges [except as provided for in this act] or for a compensation furnishes any materials therefor is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or undergo imprisonment not exceeding six months or both and shall forfeit his office

Section 532 Duties The township treasurer shall receive all moneys due the township and deposit the same promptly upon receipt thereof in a bank institution or trust company in the name of the township he shall keep distinct and accurate accounts of all sums received from taxes and other sources which account shall be open to the inspection of the supervisors and taxpayers of the township he shall pay out all moneys received by him only on orders drawn by the supervisors of the township [all orders shall be on blanks prepared and furnished by the Department of Highways] he shall annually state his accounts and lay the same together with the vouchers before the township auditors for settlement

Section 4 Subsection a of section 590 and section 59 of said act as so reenacted and amended are hereby further amended to read as follows

Section 590 Petition for Appointment of Police Contracts for Police Services A Upon the petition of not less than twenty-five registered electors or taxpayers of a township or of two or more adjacent townships representing that the safety of the citizens and the security of property [makes] make it necessary for the appointment of one or more policemen the supervisors of such township or township shall consider said petition and if satisfied of the reasonableness and propriety of said application shall appoint one or more registered electors who shall be residents of the Commonwealth [of which the said township or townships are a part] to act as policemen and to serve at the will of said supervisors

The supervisors of such township or townships shall fix the number of policemen the compensation of such policemen and shall limit the term of service of said policemen as it may deem proper Where such policemen are ap

pointed for two or more townships the supervisors of such townships shall fix the amount of compensation which shall be paid by each of such townships. Such compensation shall be paid from the general township fund.

Section 595 Police Pension Fund Where a police force is being maintained the township shall by ordinance establish a police pension fund or pension annuity into which each member of the police force shall pay an equal and proportionate monthly charge not exceeding annually three per centum of the pay of such member. The fund shall be under the direction of the supervisors or such committee as they may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service. Any allowances made to those who are retired by reason of disability or age shall be in conformity with a uniform scale.

Section 5 Article V of said act as so reenacted and amended is hereby amended by adding at the end thereof a new subdivision and section to read as follows:

(k) Township Manager

Section 599.1 Appointment Removal Powers and Duties Compensation Bond The supervisors may by ordinance at any time create the office of township manager and may in like manner abolish the same. While said office exists the supervisors shall from time to time and whenever there is a vacancy by majority vote elect one person to fill said office who shall serve until his successor is elected and qualified. Any such township manager shall be subject to removal by the supervisors by majority vote.

The powers and duties and the compensation of the township manager shall be fixed by ordinance. The compensation shall be paid out of the general fund of the township. The supervisors may delegate subject to recall any of their non-legislative powers and duties to the township manager. He shall give bond to the township with sufficient surety to be approved by the supervisors in such sum as they shall by ordinance direct conditioned for the faithful performance of his duties.

The office of township manager shall not be deemed incompatible with the office of township secretary township treasurer or any other township office or employment except that of supervisor.

Section 6 Sections 602 603 610 and 612 of said act as so reenacted and amended are hereby further amended to read as follows:

Section 602 Who to attend compensation and mileage The supervisors of townships auditors assessors tax collectors and the secretary of the board of township supervisors when not a member of the board shall attend such conventions whenever possible each township supervisor auditor assessor tax collector and secretary attending such convention shall receive a certificate signed by the presiding officer and acting secretary of the convention attesting his presence at the convention such certificate shall entitle him to collect from the township treasurer the sum of [five] six dollars per day for each day's attendance and mileage at the rate of four cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held no township supervisor auditor assessor tax collector or secretary shall be paid for more than one day's attendance in any one year.

Section 603 Officers Of County Association The officers of the association shall consist of a president two vice-presidents a secretary and a treasurer none of whom shall be interested directly or indirectly in the promotion or sale of road material and equipment and all of whom except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen if desirable the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding [fifteen] twenty-five dollars per annum as the other officers may determine every township supervisor assessor

tax collector and auditor attending such convention may vote in the election of officers.

Section 610 State Association Authorized The formation of a State association of township supervisors is hereby authorized the association shall hold annual meetings at such time and place within the Commonwealth as it may designate for the purpose of discussing various questions and subjects pertaining to the duties of township supervisors and for the purpose of devising uniform economical and efficient methods of administering the affairs of townships all dues assessed by the association which shall not exceed [fifteen] twenty dollars per year per township shall be paid by the member townships from their general township funds.

Section 612 Expenses and Mileage The expenses of the delegates attending the annual meeting shall not exceed [six] ten dollars per day for each delegate for not more than three days together with the actual mileage at the prevailing rate of railroad fare and shall be paid by the respective county associations.

Section 7 Clause III of section 702 of said act as so reenacted and amended and as amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 858) is hereby further amended to read as follows:

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors. In addition to the duties imposed upon them by section 516 hereof they shall have power

\* \* \* \* \*

III Contracts and Tax Levy For Fire Purposes On the petition of the surface property owners of a majority of the lineal feet frontage along any highways streets roads and alleys or portion thereof in any village within the township to enter into contract with water companies for the placing of fire hydrants to water mains maintaining pressures approved by the fire insurance underwriters along said highways streets roads and alleys or to provide for or acquire a water supply system equipped to supply sufficient water for the protection of property from fire.

The moneys necessary for acquiring any such water system may be obtained by proceeding in accordance with either of the methods set forth in paragraphs A and B as follows:

A The supervisors shall levy for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera an annual tax upon the property abutting upon said highways streets roads and alleys and upon property within [five] six hundred feet of any fire hydrant in the district benefited thereby based upon the assessment for county purposes no such tax shall be levied against any farm land or land used as an aviation field or against other property in the districts not benefited thereby such tax shall be collected in the same manner as other taxes the collector shall receive the same commission as on the township tax the township treasurer shall receive all such taxes collected for fire protection and keep the same in a separate account and pay the same out only upon orders signed by the chairman of the board of supervisors attested by the secretary the treasurer shall make a report to the auditors of the township annually.

B The township supervisors shall annually assess or cause to be assessed the cost and expense for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera by an equal assessment on all property abutting upon said highways streets roads and alleys within [five] six hundred [500] feet of any fire hydrant in the district benefited thereby in proportion to the number of feet the said property fronts on any street highway road or alley upon which a water main is laid or within [five] six hundred [500] feet of any fire hydrant on such street highway road or alley the supervisors may provide for an equitable reduction from the frontage of lots it intersects or where from the peculiar or pointed shape of lots an assessment

of the full frontage would be inequitable no such assessment shall be made against any farm land but vacant lots between built-up sections either tilled or untilled shall not be deemed to be farm lands all such assessments for fire protection shall be filed with the township tax collector who shall give thirty (30) days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address the tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax if the assessments or any of them remain unpaid at the expiration of not exceeding ninety (90) days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection the solicitor shall collect the same together with five percent as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected where an owner has two or more lots against which there is an assessment for the same year all such lots may be embraced in one claim all assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay the same only upon order signed by the chairman of the township supervisors attested by the secretary the tax collector and the treasurer shall make a report to the auditors of the township annually

Section 8 Clause XIII of said section 702 as so reenacted and amended is hereby further amended to read as follows

\* \* \* \* \*

XIII Insurance To expend out of the general township fund such amount as may be necessary to secure workmen's compensation insurance for its employees including volunteer firemen of companies duly recognized by the township by motion or resolution killed or injured while going to returning from or attending fires in said township or territory adjacent thereto or while performing any other duties authorized by the township to make contracts of insurance with any fire insurance company duly authorized by law to transact business in the Commonwealth of Pennsylvania on any building or property owned by such township to make contracts with any insurance company so authorized insuring any public liability of the township and to make contracts of insurance with any insurance company or nonprofit hospitalization corporation or nonprofit medical service corporation authorized to transact business within the Commonwealth insuring its employees or any class or classes thereof under a policy or policies of group insurance covering life health hospitalization medical service or accident insurance and may contract with any such company granting annuities or pension for the pensioning of such employees and for such purposes may agree to pay part or all of the premiums or charges for carrying such contracts and may appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof The supervisors are hereby authorized enabled and permitted to deduct from the employee's pay salary or compensation such part of the premium or charge as is payable by the employee and as may be so authorized by the employee in writing

\* \* \* \* \*

Section 9 Clause XXVI of said section 702 as added thereto by the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 118) and clause XXVI of said section as added thereto by the act approved the second day of June one thousand nine hundred forty-seven (P. L. 391) are hereby renumbered to read as follows

[XXVII] XLII Airports To acquire by lease or purchase or by exercising the power of eminent domain in the manner provided in article ten of this act any lying either within or without the limits of the township which in the

judgment of the corporate authorities thereof may be necessary and desirable for the purpose of establishing and maintaining municipal airdromes aviation landing fields and airport facilities The title acquired by the township exercising the power of condemnation shall be a title in fee simple Any township having acquired land for such purposes may establish equip condition operate and maintain the same as a municipal airport airdrome landing field or intermediate landing field and may lease the same or any part thereof to any individual or corporation desiring to use the same for aviation purposes and may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for the use by said Government of said land for aviation purposes upon nominal rental or without consideration

Any township may acquire by lease or purchase land for aviation purposes as hereinbefore provided jointly with any county city borough township or political subdivision or municipality authority of this Commonwealth and is hereby authorized and empowered to operate and maintain said airport airdrome landing field or intermediate landing field jointly with any county city borough township or other political subdivision or municipality authority of this Commonwealth upon such terms and conditions as may be agreed upon between the proper authorities of the county city borough township or other political subdivision of this Commonwealth

[XXVII] XLIII Police Protection Districts Assessments To provide police protection and promote the public safety health convenience and welfare of its citizens the board of township supervisors is hereby empowered with the approval of the township auditors on petition of a majority of the property owners of any territory within the township to designate definitely define set apart and limit any part of such territory as a district for the purpose of providing such districts adequate police police protection Such police protection may be furnished jointly with one or more other townships or boroughs under an agreement with such townships and boroughs The township supervisors shall annually assess or cause to be assessed the cost and expense of the maintenance of said police protection by an equal assessment on all property benefited by such protection in proportion to the number of feet the same fronts on the street or highway or portion thereof to be protected The supervisors may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per foot front against vacant lots shall be only twenty-five per centum (25%) of the assessment per foot front against property with improvements thereon All such assessments for police protection shall be filed with the township tax collector who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum (5%) as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive

and shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary. The tax collector and the treasurer shall make a report to the auditors of the township annually.

Section 10 Said section 702 as so reenacted and amended is hereby amended by adding at the end thereof two new clauses to read as follows

XLIV Widening and Deepening Water-Courses After a permit has been secured from the Water and Power Resources Board to widen and deepen water-courses running through the township and to erect such dikes retaining walls and embankments along the same as shall be necessary to prevent water from overflowing the banks thereof For such purposes townships may enter upon and condemn such property as may be necessary Townships may enter upon land lying near such water-courses and secure such material as may be necessary in connection with such work Damages for property taken injured or destroyed as the result of such work shall be fixed and determined in the manner provided in article ten of this act Townships may appropriate moneys from the general fund for the purpose of carrying into effect the provisions of this clause

XLV Appointment of Certified Public Accountant To employ a certified public accountant to audit the accounts of the township and the township officers if a petition has been presented to the supervisors by at least twenty-five taxpayers of the township asking for such appointment The amount paid to the certified public accountant in any year shall not exceed the maximum allowed by law to be paid to the township auditors in such year

Section 11 Section 802 Clauses (4) and (5) of section 905 and sections 1135 and 2005 of said act as so reenacted and amended are hereby further amended to read as follows

Section 802 Letting Contracts Each township shall have the power to make to authorize and to ratify expenditures for lawful purposes from funds available therefor by borrowing within legal limitations Provided That all contracts or purchases in excess of five hundred dollars (\$500) except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the township is situated at least three times at intervals of not less than three days where daily newspaper of general circulation are [available] employed for such publication [and] or in [the] case [of] weekly newspapers are employed then the notice shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids

The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at subsequent meetings Provided That at least five days' notice thereof shall be published in the newspaper aforesaid

The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing [the work to be done] performance of the contract with sufficient surety in the amount of fifty per centum (50%) of the amount of the contract within twenty days after the contract has been awarded unless the supervisors shall prescribe a shorter period not less than ten days and upon failure to furnish such bond within such time the previous award shall be void Delivery accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

The contracts or purchases made by any supervisors involving an expenditure of over five hundred dollars (\$500) which shall not require advertising or bidding as hereinbefore provided are as follows

(a) Those made for maintenance repairs or replacements repairs or replacements for water electric light and other public works of the township provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the supervisors as in other cases of work done

(b) Those made for improvements repairs or maintenance of any kind made or provided by any township through its own employees Provided however That this shall not apply to construction materials used in a road improvement

(c) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by the supervisors which are patented and manufactured products

(d) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision county the Commonwealth of Pennsylvania or the Federal Government or any agency of the Commonwealth or Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies but the price thereof or the expenditure therefor shall not be in excess of those fixed by the Commonwealth the Federal Government or their agencies

(e) Those involving personal or professional services Except as herein provided no township official either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the township or for any work to be done for such township involving the expenditure by the township of more than three hundred dollars (\$300) in any year but this limitation shall not apply to cases where such officer or appointee of the township is an employee of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise Provided however That in the case of a supervisor if he knows that he is within the exception just mentioned he shall so inform the supervisors and shall refrain from voting on the expenditures or any ordinance relating thereto and shall in no manner participate thereon Provided further That any such official or appointee who shall knowingly violate this provision shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the township ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) Provided That in the case the purchase of material [equipment and machinery] for the construction reconstruction maintenance and improvement of roads and bridges the contract which shall be in writing and shall be let only on standard specifications of the Department of Highways [as approved by said department] and materials so purchased shall only be used in accordance with specifications of [or approval of] said department

Section 905 Township and Special Tax Levies A The board of township supervisors may by resolution levy taxes upon all real property and upon all occupations or upon real property alone within the township made taxable for township purposes as ascertained by the last adjusted valuation for county purposes for the purposes and at the rates hereinafter specified All taxes shall be collected in cash

\* \* \* \* \*

4 A tax not exceeding two mills and not exceeding the amounts hereinafter limited for the purpose of purchasing and maintaining fire apparatus and to provide with the assent of the electors of the township as hereinafter provided a suitable place for the housing of the same and to make appropriations to fire companies for the purchase and maintenance of fire apparatus but the total expenditure for the purchase of fire apparatus by the town-

ship together with the amount of appropriation to one or more fire companies from such taxes shall not for the first fiscal year exceed in all the sum of seven thousand five hundred dollars nor shall any new fire apparatus be thereafter purchased by the township or by any fire company from appropriations made by the township without the consent of the electors as hereinafter provided [nor shall the total expenditure by the township in any fiscal year for the purpose of maintenance and operation together with the appropriations to any one or more fire companies exceed forty-five hundred dollars]

5 A tax not exceeding two mills for the purpose of establishing and maintaining fire hydrants and fire hydrant water service after obtaining the assent of two-thirds of the electors of the township voting thereon in the manner provided in this act

Section 1135 Petition of Property Owners Any township may grade curb gutter pave or otherwise improve with brick stone or any suitable materials any public street or road or part thereof [(not less than one thousand feet)] laid out and opened in the township No street or road or any part thereof shall be improved under the provisions of this section except upon the petitions of owners of property representing a majority in number of feet front of the properties abutting on the street or road or part thereof proposed to be improved [or unless there shall be at least ten separate improved dwellings or places of business in each one thousand feet of road to be so improved]

Section 2005 Changes Such regulations restrictions and boundaries may from time to time be amended supplemented change modified or repealed In case however of a protest against such change signed by the owners of twenty percent or more either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending one hundred feet from the street frontage of such opposite lots such amendment shall not become effective except by the favorable vote of [all] a majority of the supervisors

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 394

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 394.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	McPherson, Jr.,	Tallman,	Yosko,
Frazier,			

#### NAYS—1

Mallery,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

#### HOUSE MESSAGES

##### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 585

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 585, entitled:

An Act authorizing certain officers in cities of the first and second class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class in cities of the second class and in school districts of the first class under certain conditions

##### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 796

He also, informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 796, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven, (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," by fixing the compensation and mileage of county auditors in such counties.

##### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 400

He also informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 400, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organizations, merger consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing the requirement of and effect of notice to shareholders in certain cases; further limiting the use of certain words in corporate names; defining the term of office of the first directors; changing pro-

visions relating to the inception of corporate existence or authority to do business; changing the requirements of contents of articles of incorporation and application for certificates of authority; providing for indemnification of directors and officers of certain expenses; making certain changes relating to issuance and redemption of shares, amendment of articles of incorporation, merger and consolidation; providing for the domestication of foreign corporations; and eliminating the filing of affidavit of paid in capital and clearance certificates in certain cases.

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 530

He also, informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 530, entitled:

An Act to amend section ten of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1410), entitled "An act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County, Certain associate judges not learned in the law, and repealing certain acts inconsistent herewith," by increasing the minimum annual salaries of associates judges not learned in the law.

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 399

He also, informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 399, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," prohibiting the use of certain additional words in corporate name; authorizing the passage of by-laws superceding the charter on purely administrative matters; permitting notice of meetings to be given by advertisement; changing certain provisions relating to mergers, consolidations and foreign corporations, and repealing an act.

#### BILL SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 575, entitled:

An Act to further amend the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L.

177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the transfer of unneeded purchased supplies between departments, boards and commissions.

Whereupon.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

#### NOMINATIONS BY THE GOVERNOR

##### NOTARY PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nomination for appointment as Notary Public.

##### CONSIDERATION OF NOTARY PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nomination for appointment as Notary Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 28, 1949.

Mr. HARE. Mr. President, I second the motion. The motion was agreed to.

The nomination was read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 28, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Homer A Patten, American Bantam Car Company, Bantam Avenue, Butler, Butler County, for appointment as a Notary Public in the City of Butler, Butler County, for a term of four years, to compute from the date of confirmation.

JAMES H. DUFF.

A motion was made by Mr. WALKER and Mr. HARE, That the Senate do advise and consent to said nomination.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—50

Barr,  
Barrett,  
Berger,  
Blass,  
Chapman,

Geltz,  
Haluska,  
Hare,  
Holland,  
Homsher,

Meade,  
Neff,  
Pechan,  
Peelor,  
Robinson,

Tarr,  
Taylor,  
Toole,  
Wade,  
Wagner,

Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Rosenfeld,  
Ruth,  
Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

##### Senate Bill No. 399, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers, authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," prohibiting the use of certain additional words in corporate name; authorizing the passage of by-laws superceding the charter on purely administrative matters; permitting notice of meetings to be given by advertisement; changing certain provisions relating to mergers, consolidations and foreign corporations, and repealing an act.

##### Senate Bill No. 400, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas and certain State departments, commissions and officers; authorizing certain State departments, boards, commissions or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing the requirement of and effect of notice to shareholders in certain cases; further limiting the use of certain words in corporate names; defining the term of office of

the first directors; changing provisions relating to the inception of corporate existence or authority to do business; changing the requirements of contents of articles of incorporation and application for certificates of authority; providing for indemnification of directors and officers of certain expenses; making certain changes relating to issuance and redemption of shares, amendment of articles of incorporation, merger and consolidation; providing for the domestication of foreign corporations; and eliminating the filing of affidavit of paid in capital and clearance certificates in certain cases.

##### Senate Bill No. 530, entitled:

An Act to amend section ten of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1410), entitled "An act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith," by increasing the minimum annual salaries of associate judges not learned in the law.

##### Senate Bill No. 585, entitled:

An Act authorizing certain officers in cities of the first and second class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class in cities of the second class and in school districts of the first class under certain conditions.

##### Senate Bill No. 796, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven, P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," by fixing the compensation and mileage of county auditors in such counties.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

#### REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR THE SENATE IS READY TO ADJOURN SINE DIE

Mr. BERGER. Mr. President, the committee on the part of the Senate has informed His Excellency, the Governor that the Senate has completed its work, and is ready to adjourn sine die, and the Governor states he has no further official business to bring before the Session.

The PRESIDENT. The Chair accepts the report of the committee, and discharges the committee. The Chair would also like to thank the committee for their very excellent attendance to duty.

#### REPORT OF THE COMMITTEE TO NOTIFY THE HOUSE THE SENATE IS READY TO ADJOURN SINE DIE

Mr. HARE. Mr. President, the committee appointed by the President pro tempore of the Senate to inform the House that the Senate is now prepared to adjourn sine die, as per the concurrent resolution passed by both Houses, has informed the House of Representatives that the Senate is prepared to adjourn sine die at six o'clock p. m., April 28, 1949.

The PRESIDENT. The Chair accepts the report of the committee, and discharges the committee with the thanks of the Senate.

### HOUSE MESSAGE

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 871

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 871, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," providing for additional examinations for school bus operators; and further regulating safety requirements for school buses and the meeting or overtaking of school buses while taking on or discharging school children.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 871 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call up for consideration at this time the Report of the Committee of Conference on House Bill No. 871.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 871

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 871, as follows:

#### Report of the Committee of Conference on House Bill No. 871

To the Members of the Senate and House of Representatives:

We, the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 871, entitled: "An act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled 'An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; \* \* \* providing for additional examination for school bus operators and further regulating safety requirements for school buses, the meeting or overtaking of school buses while taking on or discharging school children, and the establishment of off the highway loading zones by school districts.'"

Respectfully submit the following bill as our report:

JOHN G. SNOWDEN,  
JOSEPH J. YOSKO,  
FRASER P. DONLAN,  
(Committee on the part of the Senate.)

WM. R. McMILLEN,  
SAMUEL B. DENNISON,  
ROBERT WHEELER, JR.  
(Committee on the part of the House of Representatives.)

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth

providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for additional examinations for school bus operators and further regulating safety requirements for school buses the meeting or overtaking of school buses while taking on or discharging school children and the establishment of off the highway loading zones by school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities borough incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding immediately following section six hundred eight thereof a new section to read as follows

#### Section 608.1 Additional Examinations for School Bus Operators

After the first day of July one thousand nine hundred fifty no person shall operate a school bus carrying school children on the highways of this Commonwealth unless he (1) shall have satisfactorily passed an additional examination for school bus operators to be given by the secretary or such agency as he may direct establishing his fitness and competency to operate such school bus with safety and his knowledge of laws and regulations relating to the operation of school buses (2) Carries a currently valid school bus operator's certificate issued by the secretary pursuant to such examination (3) has satisfactorily passed a physical examination to be given annually at the beginning of every school year by the physician for the school district by which he is employed and (4) carries a currently valid certificate issued by the examining physician indicating that he has passed the prescribed physical examination The provisions of this section shall not apply to operators employed by any person or company subject to the jurisdiction of the Pennsylvania Public Utility Commission

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than

twenty-five dollars (\$25) and not more than fifty (\$50) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not less than ten (10) days and not more than twenty-five (25) days.

Section 2 Clause 7 of subsection (b) of section eight hundred twenty-eight of said act as last amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1170) is hereby further amended and two clauses as hereby added immediately following clause (8) thereof to read as follows

**Section 828 School Buses Safety Requirements**

(b) No person shall own or operate a school bus carrying school children on the highways of this Commonwealth in a school bus that in addition to the other requirements of this act does not conform with the following

(7) Every school bus shall be of a uniform color which shall be orange and every such bus shall be labeled both in front and in the rear with black letters not less than six (6) inches in height with the words "School Bus" showing to the outside any school bus purchased or repainted after the effective date of this amendment shall be of a uniform color a national school bus chrome and every school bus shall be labeled both in front and in the rear with black letters not less than eight inches in height with the words "School Bus" showing to the outside. The type size and form of school bus signs to be displayed by buses owned and operated by a person or company subject to the jurisdiction of the Public Utility Commission shall be determined by the Secretary of Revenue the Commissioner of the Pennsylvania State Police and the Superintendent of Public Instruction. When a school bus is being operated upon a highway other than for the transportation of school children either to or from school all the labels containing the words "School Bus" shall be removed covered or concealed

(9) Every school bus shall be equipped with two electrical or mechanical stop signal devices one to the front and one to the rear thereof in addition to the stop signal devices otherwise required by this act. Each such additional device shall be plainly visible to operators of approaching vehicles in normal sunlight and at night from a distance of one hundred (100) feet to the front or rear as the case may be shall not project a glaring light and shall be of types approved by the secretary

(10) Every school district transporting pupils by school bus shall establish and maintain at or near all schools to or from which pupils are transported off the highway loading ones and shall establish and designate school bus loading zones along the highways traversed by school buses by erecting thereat official "School Bus Stop" signs. Such signs as may be required by this section shall be furnished and maintained by the school districts and shall be erected by the authorities responsible for the maintenance of the highway

Such loading zones shall be located off the travelable portion of the highway wherever practicable. The Secretary of Highways with respect to State highways and local authorities with respect to highways under their jurisdiction shall have the authority to determine if any school bus loading zone established as herein provided is hazardous to any other users of the highway and if he so finds he may discontinue the same or cause it to be relocated to a point where such hazard will be eliminated

(11) Whenever school bus loading zones have been established at or near a school or along a highway it shall be unlawful for a school bus operator to stop his bus to pick up or discharge pupils at any location other than at such loading zones

12 The provisions of clause (7) of this section requiring labeling shall apply to all buses when used exclusively for the transportation of school children whether or not the bus is owned and operated by a person or company subject to the jurisdiction of the Pennsylvania Public Utility Commission but none of the other provisions of said clause or

of clause (9) of this section shall apply to buses subject to the jurisdiction of the Public Utility Commission

Section 3 Subsection (b) of section one thousand seven hundred and sixteen of said act as amended by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1056) is hereby further amended to read as follows

**Section 1017 Passing Street Cars**

(b) No operator of a vehicle who meets or overtakes a street passenger car [or school bus] that has stopped for the purpose of taking on or discharging passengers shall pass said car [or school bus] on the side on which the passengers get on or off until the car [or school bus] has started and until any passenger who may have alighted have reached the side of the highway except that where a safety zone has been established or at an intersection where traffic is controlled by a peace officer or a traffic signal a vehicle need not be brought to a full stop before passing any such railway interurban street car [or school bus] but may proceed past such car [or school bus] at a speed not greater than is reasonable or proper and in no event greater than ten (10) miles an hour and with due caution for the safety of pedestrians

Section 4 Said act is hereby amended by adding immediately following section one thousand seventeen thereof a new section to read as follows

**Section 1017.1 Passing School Buses**

The driver of a vehicle when approaching the front or rear of a school bus conforming to the requirements of this act that has come to a stop upon any highway or street outside of a business or residential district while in the act of receiving or discharging any school child shall stop such vehicle not less than ten (10) feet from such school bus and keep such vehicle stationary until such school bus resumes motion or the school bus operator signals him to proceed except that (1) upon a highway with separate roadways when the school bus is on a separate roadway or (2) upon a limited or controlled access highway when the school bus is stopped in a loading zone adjacent to or parallel to such highway and where pedestrians are not permitted to cross such highway (3) Upon a highway when a school bus is stopped off the highway in a loading zone the driver need not stop his vehicle upon meeting or passing a school bus. No school bus operator shall start his bus or signal the driver of any vehicle who has stopped in compliance with provisions of this section to proceed until after each child who may have alighted therefrom shall have reached a place of safety

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty dollars (\$20) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

On the question,

Will the Senate adopt the report of the Committee of Conference?

**SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 871**

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 871.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,  
Barrett,  
Berger,

Geltz,  
Haluska,  
Hare,

Meade,  
Neff,  
Pechan,

Tarr,  
Taylor,  
Toole,

Blass.	Holland.	Peelor,	Wade,
Chapman.	Homsher.	Robinson.	Wagner.
Crowe.	Kephart.	Rosenfeld.	Walker.
Dent.	Lane.	Ruth.	Watkins.
Diehm.	Leader.	Scarlett.	Watson.
DiSilvestro.	Letzler.	Snowden.	Wolfe.
Doehla.	Lord.	Stevenson.	Wood, L. H.
Donlan.	Mahany.	Stiefel.	Wood, T. N.
Farrell.	Mallery.	Tallman.	Yosko.
Frazier.	McPherson, Jr..		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 28, entitled:

An Act to further amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, and four thousand three hundred twenty-four of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," further regulating the retirement of firemen on pensions; and requiring certain payments to be made to the Firemen's Pension Fund by cities.

House Bill No. 200, entitled:

An Act establishing a Pennsylvania Liquor Control Board Officers' Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board; providing for contributions by officers of the Pennsylvania Liquor Control Board and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the abrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes, and providing penalties

House Bill No. 349, entitled:

An Act to further amend section three of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled, as amended "Beverage Tax Law," increasing the rates of certain taxes for a further limited period of time.

House Bill No. 780, entitled:

An Act to further amend sections seven and eighteen of the act, approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024), entitled "Female Labor Law," by deleting the wartime provision increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provision.

House Bill No. 839, entitled:

An Act to amend section twelve of the act approved the fourth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1265), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class;

and imposing certain charges on counties," by providing for the right to designate beneficiaries after the time of retirement.

House Bill No. 1016, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code" changing the definition of "tractor" and adding the definition "farm tractor"; and further providing for the classification of and the annual registration fees for tractors.

House Bill No. 1073, entitled:

An Act to amend subsection five of section seven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law" by providing for determining the amount earnable by members of the General Assembly.

House Bill No. 1291, entitled:

An Act to further amend subsection (a) of section nine of the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "Non Profit Medical Service Corporation Act," by further defining persons of low income.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

## HOUSE MESSAGES

HOUSE ADOPTS REPORT OF COMMITTEE OF  
CONFERENCE ON SENATE BILL No. 367

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 367, entitled:

An Act to further amend sections four three hundred one and five hundred one of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2896) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on pay-rolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for modification of the manner in which employer contribution rates are determined

HOUSE DISCHARGES COMMITTEE OF CONFERENCE  
ON SENATE BILL No. 286

He also informed the Senate that the House has discharged the House Committee of Conference on Senate Bill No. 286, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the De-

partment of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," eliminating certain obsolete provisions thereof clarifying certain definitions and terms, changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 286

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 286, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," eliminating certain obsolete provisions thereof clarifying certain definitions and terms, changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

#### SENATE BILL No. 286 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 286.

#### SENATE RECEDES FROM ITS NON-CONCURRENCE IN HOUSE AMENDMENTS TO SENATE BILL No. 286

Mr. WALKER. Mr. President, I move that the Senate recede from its non-concurrence in the amendments made by the House to Senate Bill No. 286, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," elimin-

ating certain obsolete provisions thereof clarifying certain definitions and terms, changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

#### SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO SENATE BILL No. 286

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 286.

Mr. HARE. Mr. President, I second the motion.  
On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel F. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, and title were publicly read as follows:

Senate Bill No. 286, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," eliminating certain obsolete provisions thereof clarifying certain definitions and terms, changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

## Senate Bill No. 367, entitled:

An Act to further amend sections four three hundred one and five hundred one of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2896) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for modification of the manner in which employer contribution rates are determined

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

NOTIFICATION THE HOUSE IS READY TO ADJOURN  
SINE DIE

Messrs. CHARLES C. SMITH, STANK and YEAKEL, a committee from the House of Representatives, being introduced by the Sergeant-at-arms, informed the Senate that the House of Representatives is now ready to adjourn sine die at six o'clock p. m. this day.

The PRESIDENT. The Chair accepts the report of the committee, and thanks the committee on behalf of the Senate.

## HOUSE MESSAGE

SENATE CONCURS IN HOUSE CONCURRENT  
RESOLUTION

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

JOINT STATE GOVERNMENT COMMISSION TO STUDY  
UNEMPLOYMENT COMPENSATION LAWS

In the House of Representatives, April 28, 1949.

Whereas, Continuing partial unemployment which has been increasing during the past year while seasonal at times, can also be an index of a slowing down of business activity; and

Whereas, The unemployment compensation law must be adequate to handle such partial continuing unemployment as a temporary problem as well as to withstand economic stresses over longer periods in order to insure confidence of the people of this Commonwealth in the economic stability of their State; now therefore be it

Resolved (if the Senate concur), That the Joint State Government Commission is hereby directed to make a study of unemployment and the Unemployment Compensation Law in order to ascertain that the manner of its administration and financing is sufficient to meet the problem of partial unemployment both seasonally and during continuing periods of unemployment resulting from a general slackening of economic activity; and be it further

Resolved, That the commission shall report its findings and recommendations to the next regular session of the General Assembly, together with such proposed legislation as it may deem essential to carry out the same.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

## House Bill No. 394, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," as heretofore amended and reenacted, by changing the fiscal year and the dates for meetings, budgets, taxation, audits, and reports, changing the compensation of supervisors and auditors and the expense allowance of delegates, providing for appointment of non-resident persons as tax collectors and policemen, authorizing police pension annuities, empowering supervisors to acquire and operate airports, to establish police protection districts and assess the cost thereof, to widen, deepen and embank water courses, to employ township managers and certified public accountants, changing the definition of volunteer firemen for workmen's compensation insurance purposes, the method of advertising for bids, the limitation on taxes for fire hydrant purposes, the requirements for street and road improvements, and the vote of supervisors required for zoning changes, and clarifying and revising certain provisions of said act.

## House Bill No. 871, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," providing for additional examinations for school bus operators; and further regulating safety requirements for school buses and the meeting or overtaking of school buses while taking on or discharging school children.

## House Bill No. 872, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379) entitled "Third Class County Board Assessment Law," by providing for annual assessments; abolishing triennial assessments; providing for fixing of salaries of subordinate assessors; limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made; and making assessments applicable to taxation for institution district purposes.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

REPORT OF THE CHIEF CLERK ON COMPARING  
BILLS

Mr. WALKER. Mr. President, on behalf of the Chief Clerk, I desire to report having compared and found correct bills numbered and entitled as follows as having passed both branches of the Legislature and signed by the presiding officers thereof:

## Senate Bill No. 2, entitled:

An Act to amend article fourteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by

the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by adding thereto a new section placing additional powers upon the Department of Military Affairs and increasing the duties of other administrative departments in connection with the establishment of a recreational camp at Indiantown Gap Military Reservation.

Senate Bill No. 5, entitled:

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties.

Senate Bill No. 10, entitled:

An Act to amend section one of the act, approved the twenty-first day of March, one thousand nine hundred five (P. L. 46), entitled "An act authorizing the municipalities of the Commonwealth to vacate, in whole or in part, all streets, lanes and alleys within their corporate limits, laid out by this Commonwealth, whenever the same, or the portion to be vacated, shall have remained unopened for a continuous period of thirty years next preceding such vacation," eliminating the requirement that the portion vacated shall have remained unopened for thirty years, and providing that vacated portions shall not be any part of a State Highway route, and validating vacations heretofore made.

Senate Bill No. 11, entitled:

An Act to amend section one thousand three hundred twenty-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled, "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing financial responsibility for education of migratory children on school districts in which such children are temporarily domiciled.

Senate Bill No. 12, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania

Senate Bill No. 14, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a

park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" authorizing the acquisition of additional grounds and the payment therefor

Senate Bill No. 17, entitled:

An Act to amend section seven of the act approved the eleventh day of June one thousand nine hundred forty-one (P. L. 101) entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Irwin in Westmoreland County the western terminus of the turnpike heretofore constructed by said Commission to a point on the western boundary line of the Commonwealth of Pennsylvania touching on the State of Ohio or the State of West Virginia and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relocation and restoration of public roads and State Highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds" by providing for salaries for appointed members of the Commission

Senate Bill No. 18, entitled:

An Act authorizing the Department of Property and Supplies to accept on behalf of the Commonwealth certain real estate adjoining property of the Philipsburg State Hospital in Rush Township, Centre County, Pennsylvania.

Senate Bill No. 20, entitled:

An Act to amend sections six hundred seventy-four and six hundred seventy-five of the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial school amending revising consolidating and changing the laws relating thereto" by providing for the levy and assessment of taxes on properties in school districts of the second class where such school districts are not wholly within a city and requiring the furnishing of county duplicates in such cases.

Senate Bill No. 30, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by changing the definition of the word court.

## Senate Bill No. 33, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating reimbursement by the Commonwealth.

## Senate Bill No. 36, entitled:

An Act to further amend section two hundred thirty-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," establishing a procedure by which registers of wills-elect, shall execute, record and file their bonds to the Commonwealth and receive their commissions; eliminating the requirement that such bonds be approved by the judges of the orphans' court and the Governor and imposing duties upon the Secretary of the Commonwealth and recorders of deeds.

## Senate Bill No. 44, entitled:

An Act requiring the consent of the electors of any political subdivision when such political subdivision or any part thereof is to be annexed by a city of the first class.

## Senate Bill No. 46, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by limiting provisions for minimum salaries and increments to teachers holding valid certificates for the subjects or grades in which they give instruction postponing the enforcement of penalties on school districts for employing teachers with emergency certificates and imposing a penalty on school districts for employing teachers without certification valid for the subjects or grades in which they give instruction

## Senate Bill No. 51, entitled:

An Act to further amend Subsection (b) of section three of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings by owners and occupants thereof including political subdivisions imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" by clarifying the provision with regard to appeals.

## Senate Bill No. 53, entitled:

An Act to amend Article V Section five hundred six article VII Section seven hundred thirty-one Article IX Clause (h) of Section nine hundred forty-three and Article X Section ten hundred four of the Act approved

the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the penalty for the unlawful killing of bears.

## Senate Bill No. 54, entitled:

An Act to further amend sections four hundred twenty-four four hundred twenty-three and four hundred twenty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.

## Senate Bill No. 55, entitled:

An Act to further amend clause (b) of section fifty and section two hundred sixty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," further providing for the number of openings in minnow traps.

## Senate Bill No. 56, entitled:

An Act to further amend sections two and three and to amend section four of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers head-stones and flags and for the compilation of war records" further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows

## Senate Bill No. 58, entitled:

An Act to further amend the act, approved the eighteenth of May, one thousand nine hundred eleven (P. L. 809), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," changing certain provisions relating to age of pupils and providing for grading and classification of pupils in the public schools.

## Senate Bill No. 60, entitled:

An Act to amend section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private reimbursement by the Commonwealth for transportation of act relating to counties of the second third fourth fifth pupils in case of consolidation of certain school districts with other districts.

## Senate Bill No. 61, entitled:

An Act to amend section five hundred five and clause (4) of section two thousand five hundred forty-one of the

act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by redefining consolidated schools and providing for approval of consolidated or joint consolidated schools and vocational district schools and the reimbursement by the Commonwealth of school districts transporting pupils of such schools.

Senate Bill No. 63, entitled:

An Act to amend section one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 806), entitled "An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board; defining hotels, and prescribing the accommodations required of hotels in certain municipalities," changing the requirements necessary for a hotel to qualify under said act.

Senate Bill No. 66, entitled:

An Act to amend section seven hundred fifty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making provisions relative to solicitation of bids where school plant or any part of same becomes unusable applicable at any time.

Senate Bill No. 67, entitled:

An Act to amend the act approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1046), entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; creating a State Tax Equalization Board; and prescribing its powers and duties; imposing duties on certain local officers, agents, boards, commissions and departments; and making an appropriation," by changing the time for the beginning of the use of market values for the determination and apportionment of Commonwealth subsidies.

Senate Bill No. 68, entitled:

An Act to amend section one thousand seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the management of joint schools or joint school departments by a joint school committee providing for the formation of such a committee and imposing duties and conferring powers upon the same.

Senate Bill No. 69, entitled:

An Act to amend Article IV, Sections four hundred eight, four hundred nine, four hundred ten, four hundred eleven, four hundred twelve, and four hundred nineteen, of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," to correct an error in the provisions concerning the size of mesh to be used by propa-

gating permittees; changing the method of tagging propagated game or eggs; providing penalties for failure to maintain proper records of propagation transactions, and submission of annual reports of special permittees; and adding bobwhite quail to list of birds authorized to be killed on Regulated Shooting Grounds.

Senate Bill No. 72, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April, one thousand nine hundred twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined, increasing the maximum aggregate number of officers and men in the State Police Force.

Senate Bill No. 96, entitled:

An Act to further amend section one of the act, approved the fourteenth day of May, one thousand nine hundred twenty-nine (P. L. 1721), entitled "An act providing for the service of process in civil suits on non-resident operators, or non resident owners, of motor vehicles operated within the Commonwealth of Pennsylvania; and making the operation of such a motor vehicle on the public highways of the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of Revenue of the Commonwealth of Pennsylvania as the agent of the said nonresident, upon whom civil process may be served; and providing for further notice to the defendant in any such suit," by extending the provisions of said act to suits instituted in the United States District Courts in this Commonwealth

Senate Bill No. 99, entitled:

An Act to add a new section to article two of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled, as amended, "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," defining the Commonwealth airways system.

Senate Bill No. 100, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Penn-

sylvania, by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

**Senate Bill No. 101, entitled:**

An Act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto.

**Senate Bill No. 103, entitled:**

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the regulation of extra-curricular activities and organizations permitting use of school property for such activities and organizations defining the status and providing for the control of funds of such activities and organizations and purchases made with such funds defining the status of money raised by other permissive uses of school property validating past actions and permitting appropriation by school districts to extra-curricular organizations of funds heretofore raised through the use of school property

**Senate Bill No. 104, entitled:**

An Act to add clause (k) to section one thousand three hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" incorporating certain functions of the State Council of Education now provided for by other legislation repeal hereby

**Senate Bill No. 105, entitled:**

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and

other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by changing and fixing the salaries of certain officers of the Commonwealth.

**Senate Bill No. 114, entitled:**

An Act to amend sections six hundred fourteen and six hundred fifteen of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" relating to bribery in athletic contests and soliciting or accepting a bribe in athletic contests.

**Senate Bill No. 116, entitled:**

An Act to amend section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 933) entitled "An act prescribing the fees to be received by registers of wills in counties of the fifth sixth seventh and eighth class" by making the fees of registers of wills in counties of the fifth sixth seventh and eighth classes uniform

**Senate Bill No. 117, entitled:**

An Act to amend section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 963) entitled "An act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth sixth seventh and eighth class" by making the fees of clerks of the orphans' courts in counties of the fifth sixth seventh and eighth classes uniform.

**Senate Bill No. 118, entitled:**

An Act to amend section one thousand eight hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by authorizing the Department of Forests and Waters to enter into agreements for protection of natural deposits underlying property owned by the Commonwealth.

**Senate Bill No. 135, entitled:**

An Act to amend section five and to further amend section seven of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and

prevent the future silting of the Schuylkill River and its tributaries by waters from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation" by abolishing the Schuylkill River Desilting Fund.

Senate Bill No. 139, entitled:

An Act to further amend section one of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 351) entitled "An act fixing the pay and mileage of jurors and witnesses" changing the compensation to be received by jurors.

Senate Bill No. 149, entitled:

An Act to authorize any city of the first class to use a facsimile signature of the City Controller in lieu of his manual signature and a facsimile of the seal of the City upon any bonds issued by it; and declaring that signatures and facsimile signatures of former officers shall be valid and sufficient.

Senate Bill No. 156, entitled:

An Act to repeal the act approved the twenty-third day of May one thousand eight hundred ninety-three (P. L. 112) entitled "An act to prohibit the use of any adulteration or imitation of dairy products in any charitable or penal institution being supplementary to an act entitled 'An act for the protection of the public health and to prevent adulterations of dairy products and fraud in the sale thereof, approved May twenty-one Anno Domini one thousand eight hundred and eighty-five.'"

Senate Bill No. 160, entitled:

An Act to further amend section four hundred twelve and subsections (9) and (10) of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by further regulating advertisements allowed on and about licensed premises and increasing the quantity of malt or brewed beverages which may be sold in a single sale by certain licensees for consumption off premises

Senate Bill No. 162, entitled:

An Act to amend section one of the act approved the twenty-second day of March one thousand nine hundred seven (P. L. 31) entitled "An act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases" by increasing the allowance of expenses and compensation to counsel.

Senate Bil No. 170, entitled:

An Act to amend section ninety-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by placing a limit on the amount which may be spent for hotel and traveling expenses and cost of annual meetings.

Senate Bill No. 177, entitled:

An Act to amend the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" changing and increasing membership of the authority and prescribing the number of members required for a quorum stating the purposes for which money may be borrowed further defining the basis for establishing the fees rentals and charges for the use of its projects authorizing school districts singly or jointly with other districts to contract to lease and lease the projects of the Authority extending the authorized term of leases and bond issues providing for facsimile and manual signatures on bonds making bonds of the Authority legal investments providing for the issuance of refunding bonds permitting public or private sale of bonds providing for additional bond from contractor providing for a sinking fund and providing that property leased owned acquired or held in any manner by the Authority shall be tax exempt.

Senate Bill No. 178, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring school districts of the first class to levy additional taxes to pay rentals to authorities created by the General Assembly having statewide jurisdiction authorizing school districts of other classes to levy additional taxes to pay rentals to the State Public School Building Authority authorizing boards of school directors to make additional appropriations or to increase existing appropriations pay over money raised from bond issues to meet leases or contracts to lease from the State School Building Authority authorizing school districts to enter into contracts of insurance of leased property authorizing school districts singly or jointly with other districts to convey or lease property and to appropriate money including proceeds of general obligation bonds to the State Public School Building Authority and to acquire additional property for such purposes and to contract with and lease property from said Authority requiring withholding of State appropriations for nonpayment of rental and authorizing payment to the Authority and authorizing payment of school districts for operation and maintenance of leased buildings furnishings and equipment.

Senate Bill No. 179, entitled:

An Act to further amend clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employe to include officers and employes of the State Public School Building Authority the General State Authority and the State Highway and Bridge Authority

Senate Bill No. 181, entitled:

An Act declaring bonds issued by the State Public School Building Authority legal investments for the School Employes Retirement Fund.

Senate Bill No. 182, entitled:

An Act providing for the acquisition by the Department of Property and Supplies in the name of the Commonwealth of certain land in Dauphin County for use of the various State departments boards and commissions and making an appropriation

Senate Bill No. 189, entitled:

An Act designating certain clerks of courts agents of the Commonwealth in the collection and transmission of fines, forfeited recognizances, and other forfeitures imposed, lost or forfeited into any court for the use of the Commonwealth; prescribing their powers and duties; fixing their compensation and providing procedures for transmission and settlement of certain moneys.

Senate Bill No. 191, entitled:

An Act to further amend Section three of the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 568), entitled "An act to expedite and simplify the collection and payment of money" by making further provision for the collection and dishonor of demand items by banks and the revocation of credit for, and payment of such items.

Senate Bill No. 192, entitled:

An Act to further amend subsection A of Section one thousand twelve of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers, defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of

deeds and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing investments in second liens in cases and under conditions herein specified.

Senate Bill No. 193, entitled:

An Act concerning Notaries Public and amending, revising, consolidating and changing the law relating thereto.

Senate Bill No. 195, entitled:

An Act to further amend section two of Article XVI of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by changing the provisions relating to filling vacancies in the office of city councilman in such cities.

Senate Bill No. 196, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the holding of special elections to fill vacancies in the councils or legislative bodies of cities boroughs towns and townships and for nominating candidates therefor and changing the provisions of said act relating to rejections of and objections to nomination certificates and nomination papers withdrawals or candidates substituted nominations and certifications by the Secretary of the Commonwealth of candidates for special elections

Senate Bill No. 198, entitled:

An Act relating to apprenticeship; creating a State Apprenticeship Council to formulate an apprenticeship policy and program and defining its powers and duties; imposing duties on the Secretary of Labor and Industry; and providing for administration.

Senate Bill No. 200, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class and imposing penalties

Senate Bill No. 209, entitled:

An Act to provide for and regulate the accumulation, investment, and expenditure of funds by cities, boroughs, incorporated towns and townships for preparing plans for sewage disposal systems and for the construction, improvement or replacement of sewage disposal systems for which plans have been approved by the Sanitary Water Board of the Commonwealth.

Senate Bill No. 212, entitled:

An Act to further amend section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public As-

sistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by making certain children placed in foster homes by the court eligible for assistance.

Senate Bill No. 217, entitled:

An Act to further amend the act, approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259) entitled, as amended "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employees' Retirement System, and for Pension Annuity Contracts, and in certain other cases into the State Employees' Retirement Fund, for certain purposes," by further defining municipal police force.

Senate Bill No. 218, entitled:

An Act to further amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by providing the quantity of malt or brewed beverages to be sold by any manufacturer, distributor, importing distributor or retail dispenser; further regulating advertisements allowed on and about licensed premises.

Senate Bill No. 221, entitled:

An Act to further amend section thirty-eight of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 869), entitled "An act providing for the organization, government, discipline, maintenance, and regulation of the armed land forces of this Commonwealth," by changing certain allowances and expenses.

Senate Bill No. 225, entitled:

An Act to amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs and revising, amending, and consolidating the law relating to boroughs," by requiring boroughs to establish police pension funds in certain cases; and permitting private police pension funds in boroughs to elect to transfer their funds to borough police pension funds.

Senate Bill No. 229, entitled:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

Senate Bill No. 230, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand eight hundred fifty-eight (P. L. 622), entitled "An act regulating the Rate of Interest," by excepting loans made under the National Housing Act.

Senate Bill No. 231, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employees; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by modifying limitations upon officers holding more than one office; permitting additional borrowing; permitting additional investment in property used in the transaction of business; broadening mortgage lending limitations; and permitting associations to make loans to mortgagors for improvements on notes insured under the National Housing Act.

Senate Bill No. 232, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Allison, Clinton County, Pennsylvania, with the approval of the Governor.

Senate Bill No. 234, entitled:

An Act to amend the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by providing for the filing of supplemental statements giving notice of change of address and setting fees for filing such statements.

Senate Bill No. 235, entitled:

An Act to amend section six of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commis-

sioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by empowering the Secretary of State and the prothonotary to make an additional charge for entering the names of certain individuals on applications.

Senate Bill No. 239, entitled:

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

Senate Bill No. 242, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College, for expenditure by the School of Mineral Industries thereof, for the purpose of studying the question of burning gob piles.

Senate Bill No. 243, entitled:

An Act to consolidate amend and revise the penal laws of the Commonwealth.

Senate Bill No. 244, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania

Senate Bill No. 245, entitled:

An Act to further amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by increasing the minimum amount to be paid to certain members on retirement.

Senate Bill No. 246, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by increasing retirement allowances from the one one-hundred sixtieth (1/160) basis to the one one-hundred fortieth (1/40) basis; permitting retirement while under age sixty-two on full allowances after completing thirty-five years of credited service, or on reduced allowances after twenty-five years of such service; increasing the scale of disability benefits; and providing supplemental State annuities to bring certain members' annuities up to the corresponding State annuities for like periods of service

Senate Bill No. 247, entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," by increasing the amounts which the counties, school districts and townships, will receive from the State for forest reserves.

Senate Bill No. 248, entitled:

An Act providing for the payment of the court of certain moneys involved in disputes between the Commonwealth of Pennsylvania and any county officer acting as agent of the Commonwealth.

Senate Bill No. 250, entitled:

An Act to amend section thirty-one of the act approved the second day of May, 1929 (P. L. 1278), entitled "An Act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by reclassifying counties of the first and second classes.

Senate Bill No. 251, entitled:

An Act to amend section one of the act approved the tenth day of July, 1919 (P. L. 387), entitled "An Act dividing the counties of this Commonwealth into eight classes; designating the mode of ascertaining and changing the classification of counties; and providing for the regulation of their affairs according to their respective classes," by reclassifying counties of the first class.

Senate Bill No. 261, entitled:

An Act to add section two thousand three hundred fifteen point one to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by empowering the Department of Welfare to authorize certain construction of patients' or inmates' stores out of appropriated moneys or certain other funds.

Senate Bill No. 262, entitled:

An Act relating to collection of taxes on real property in cities of the first class; limiting the time for commencing suit to enforce personal liability for such taxes.

## Senate Bill No. 265, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by requiring the retirement board to submit statements to contributors at four year intervals.

## Senate Bill No. 266, entitled:

An Act to further amend section two of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes; and in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by further regulating the returns of taxable property and the payment of taxes by certain taxpayers under the provisions of the said act.

## Senate Bill No. 273, entitled:

An Act to reenact the title and section one of the act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 110) entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations" as amended.

## Senate Bill No. 283, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Mt. Pocono Airport Authority certain property located in Monroe County and commonly known as the "Mt. Pocono Airport."

## Senate Bill No. 286, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," eliminating certain obsolete provisions thereof clarifying certain definitions and terms, changing the rights and obligations of employers and employees thereunder and requiring prothonotaries to enter certain liens without prepaying of costs.

## Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties

made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight and of carrying out the provisions of existing laws relating thereto

## Senate Bill No. 296, entitled:

An Act to amend section four hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by clarifying the powers and duties of the institution districts and other public agencies furnishing assistance.

## Senate Bill No. 306, entitled:

An Act to further amend subsection nine of section eight of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties" permitting contributors to change from the one, one-hundred-sixtieth (1-160) to the one, one-hundredth (1-100) class, and imposing duties on the board in respect thereto.

## Senate Bill No. 325, entitled:

An Act to further amend section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for free hunting licenses to certain disabled war veterans

## Senate Bill No. 328, entitled:

An Act making appropriations to the Department of Property and Supplies and the Pennsylvania Historical and Museum Commission to be used to purchase property in Montgomery County, Pennsylvania, and in restoration work at Pottsgrove, Pennsylvania.

## Senate Bill No. 330, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others

## Senate Bill No. 333, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

## Senate Bill No. 337, entitled:

An Act to add section two to the act, approved the seventeenth day of January, one thousand eight hundred thirty-one (P. L. 12) entitled "A further supplement to an act entitled, an act to reform the penal laws of this Commonwealth," by authorizing the discharge of prisoners for non-payment of costs and fines upon serving certain periods of time.

## Senate Bill No. 338, entitled:

An Act authorizing the Department of Property and Supplies to convey a property in Somerset County Pennsylvania.

## Senate Bill No. 340, entitled:

An Act to further amend section two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 216), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," by further defining the term "Dental Hygienist" and further regulating the practice of Dental Hygienists.

## Senate Bill No. 343, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry.

## Senate Bill No. 349, entitled:

An Act establishing within the limits of Philadelphia, the Eastern Pennsylvania Psychiatric Institute, as a State institution; providing for a board of trustees and a medical advisory board therefor; conferring powers and imposing duties upon the Department of Property and Supplies, the Department of Welfare, the board of trustees and the medical advisory board.

## Senate Bill No. 350, entitled:

An Act to amend section seven hundred twenty of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing the period for field trials.

## Senate Bill No. 351, entitled:

An Act to amend sections eight hundred sixty-eight and eight hundred sixty-nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" further regulating the use and possession of certain containers.

## Senate Bill No. 352, entitled:

An Act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions.

## Senate Bill No. 358, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs and improvements to existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

## Senate Bill No. 366, entitled:

An Act relating to public records of political subdivisions other than cities and counties of the first and second class authorizing the recording and copying of documents plates papers and instruments of writing by photostatic photographic microfilm or other mechanical process and the admissibility thereof and enlargements thereof in evidence providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless and providing for the services of the Department of Property and Supplies to political subdivisions

## Senate Bill No. 367, entitled:

An Act to further amend sections four, three hundred one, five hundred one, five hundred two and six hundred one point one of and to amend section seven hundred two of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by changing and adding certain definitions providing for modification of the manner in which employer contribution rates are determined and under certain conditions for the payment by employers of the costs of appeals.

## Senate Bill No. 370, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania; authorizing agreements between Redevelopment Authorities and local taxing authorities; limiting for a term not exceeding twenty-five years, the amount of annual taxes to be levied upon land acquired for urban redevelopment.

## Senate Bill No. 374, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

## Senate Bill No. 375, entitled:

An Act to further amend paragraph four of subsection A of section one thousand one of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such cor-

porations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations of private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further regulating the making of installment loans.

**Senate Bill No. 376, entitled:**

An Act to amend sections one thousand one hundred sixty-one and one thousand one hundred sixty-two of the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools amending devising consolidating and changing the laws relating thereto" by providing for the employment of a supervising principal, granting certain powers and defining his duties.

**Senate Bill No. 386, entitled:**

An Act to repeal route three hundred ninety-one of the act approved the eighth day of April one thousand nine hundred and twenty-five (P. L. 191) entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" as amended.

**Senate Bill No. 389, entitled:**

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature.

**Senate Bill No. 390, entitled:**

An Act to amend sections one thousand one hundred six and one thousand one hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing time of notice of conventions of school directors; and requiring notice of candidacy for office of county superintendent.

**Senate Bill No. 391, entitled:**

An Act reappropriating the unexpended balance appropriated by section two of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 953), entitled "An act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 635), entitled 'An act creating a commission to study the methods of maintaining and supporting public schools, and the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient public school system; prescribing its powers and duties; and making an appropriation,' continuing such com-

mission; changing its purpose; and making an appropriation."

**Senate Bill No. 395, entitled:**

An Act to amend the title and to further amend the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporations; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by segregating from the classification of private banks employes mutual banking associations; and defining the qualifications, powers and duties of such associations.

**Senate Bill No. 397, entitled:**

An Act to amend the act approved the twenty-ninth day of April, one thousand eight hundred seventy-four (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations," by authorizing the reservation of a corporate name.

**Senate Bill No. 398, entitled:**

An Act to further amend section one of the act, approved the eighth day of June, one thousand nine hundred twenty-three (P. L. 685), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," by adding certain additional fees to be charged and collected and repealing a supplementary act.

**Senate Bill No. 399, entitled:**

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three, (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization, merger, consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act, imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of certain additional words in corporate name changing the contents of articles of Young Men's Christian Associations authorizing the passage of by-laws superceding the charter on purely administrative matters permitting notice of meetings to be given by advertisement changing certain provisions relating to mergers consolidations and foreign corporations and repealing an act.

## Senate Bill No. 400, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations, conferring certain rights, powers, duties and immunities upon them and their officers and shareholders, prescribing the conditions on which such corporations may exercise their powers, providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth, conferring powers and imposing duties on the courts of common pleas and certain State departments, commissions and officers, authorizing certain State departments, boards, commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing the requirement of and effect of notice to shareholders in certain cases further limiting the use of certain words in corporate names defining the term of office of the first directors, changing provisions relating to the inception of corporate existence or authority to do business changing the requirements of contents of articles of incorporation and application for certificates of authority, providing for indemnification of directors and officers and other persons of certain expenses, making certain changes relating to officers, assistant officers and agents, the determination of shareholders of record cancellation of acquired shares advertising in connection with articles of amendment issuance and redemption of shares amendment of articles of incorporation merger and consolidation, providing for the domestication of foreign corporations and eliminating the filing of affidavit of paid in capital and clearance certificates in certain cases.

## Senate Bill No. 404, entitled:

An Act to further amend section three hundred eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by including clerical personnel in the office of county superintendent of schools within definition of term "County Employee."

## Senate Bill No. 409, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process, and providing penalties," by extending service allowance of certain employees and requiring contributions by school boards and vocational school boards.

## Senate Bill No. 410, entitled:

An Act requiring the county commissioners to provide, at the expense of the county, telephone service, typewriters, stenographers, office space, materials and other equipment for the use of the county superintendent of schools.

## Senate Bill No. 415, entitled:

An Act making an appropriation to Washington and Jefferson College for conservation education; and requiring certain reports in connection therewith.

## Senate Bill No. 428, entitled:

An Act making the title acquired by a political subdivision on condemnation a fee simple title except in certain cases.

## Senate Bill No. 430, entitled:

An Act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges.

## Senate Bill No. 432, entitled:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 998) entitled "An act imposing a tax for State purposes on marine insurance underwriting profits and providing for the collection of such tax" by making the tax payable at the time reports are made.

## Senate Bill No. 433, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims, against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for the assessment of taxes on marine insurance profits concurrently with the filing of reports and for the settlement of same by the Department of Revenue, and fixing penalties.

## Senate Bill No. 436, entitled:

An Act authorizing the Department of Property and Supplies to lease to the University of Pittsburgh the Western State Psychiatric Institute and Clinic in Allegheny County and providing for the management thereof by the University of Pittsburgh.

## Senate Bill No. 437, entitled:

An Act to further amend clause one of section three and clause two of section twelve of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof;

establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by further extending the time for present employes as defined in the act to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

Senate Bill No. 439, entitled:

An Act to further amend section ten of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons.

Senate Bill No. 440, entitled:

An Act to further amend sections one of the act, approved the eighth day of April, one thousand eight hundred and sixty-seven (P. L. 50), entitled: "An act to permit disabled soldiers to peddle by procuring a license therefor, without charge," by further prohibiting the peddling of labeled flowers of certain veteran's organizations.

Senate Bill No. 441, entitled:

An Act to further amend section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons.

Senate Bill No. 442, entitled:

An Act to amend section eighty-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by further providing for the payment of expenses of sheriffs at meetings of their State associations, increasing the allowable expenses for holding the same.

Senate Bill No. 444, entitled:

An Act to add section two hundred two to the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defectives, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," by providing for out-patient and psychiatric clinical services, and establishing charges.

Senate Bill No. 446, entitled:

An Act to amend sections one two three four and seven of the act approved the twenty-fifth day of June one thousand nine hundred and forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" prohibiting the levy and collection of certain taxes providing for an over-all limit on revenues to be collected annually and for the use of excess moneys collected requiring reduction of tax rates in certain cases and affording remedies to compel such reduction imposing limits on rates of certain taxes regulating appeals from tax ordinances and resolutions providing for joint agreements for the collection of taxes regulating penalties and interest on taxes and requiring certified copies of effective tax ordinances and resolutions to be filed with the Department of Internal Affairs.

Senate Bill No. 456, entitled:

An Act to amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by providing for reimbursement of taxes paid on liquid fuels consumed in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products providing penalties and making appropriations from the motor license fund for the payment of such reimbursements and expenses in connection therewith

Senate Bill No. 458, entitled:

An Act to amend section one thousand three hundred four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions relating to admissions of beginners.

Senate Bill No. 459, entitled:

An Act fixing and regulating the fees commissions mileage and other costs chargeable by the Sheriff in counties of the second third fourth fifth sixth seventh and eighth classes for their official acts and the service of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county in-

cluding the compensation of special deputies, providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local.

Senate Bill No. 463, entitled:

An Act authorizing and empowering the Secretary of Highways, with the approval of the Governor to construct bridges and approaches thereto to connect State highway routes under certain terms and conditions conferring the power of eminent domain for such purpose authorizing agreements with political subdivisions for sharing the property damage and construction costs authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction and making an appropriation.

Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary, secondary and vocational schools.

Senate Bill No. 467, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the Pennsylvania Hospital Survey and Construction Act of 1947.

Senate Bill No. 469, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school.

Senate Bill No. 470, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

Senate Bill No. 471, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of the necessary expenses in connection with the establishing and operation of the recreational camp at Indiantown Gap Military Reservation.

Senate Bill No. 475, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund.

Senate Bill No. 476, entitled:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

Senate Bill No. 477, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

Senate Bill No. 478, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

Senate Bill No. 479, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Senate Bill No. 480, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

Senate Bill No. 481, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund.

Senate Bill No. 485, entitled:

An Act to regulate and establish the fees to be charged and collected by the recorders of deeds in counties of the first class.

Senate Bill No. 486, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

Senate Bill No. 487, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

Senate Bill No. 488, entitled:

An Act to further amend section fifteen and twenty-one of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how and upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by clarifying certain provisions eliminating provisions for signatures of county controllers and facsimile signatures and requiring the payment to the prothonotary of additional fees under certain circumstances in certain counties and political subdivisions thereof.

Senate Bill No. 489, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

Senate Bill No. 492, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for Medical education and research.

Senate Bill No. 493, entitled:

An Act making an appropriation from the Public Building Construction Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Public Building Construction Fund.

Senate Bill No. 494, entitled:

An Act to add section one thousand three hundred seventy-three point one of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of handicapped children.

Senate Bill No. 496, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Mount Airy Philadelphia Pennsylvania for the purpose of acquiring installing replacing and renewing certain equipment and machinery.

Senate Bill No. 499, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose.

Senate Bill No. 500, entitled:

An Act to further amend subsection four of section fourteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees; defining the uses and purposes thereof, and the manner of payments therefrom; and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits and rights from taxation, and judicial process and providing penalties" by increasing the amount of retirement or compensation payments to persons now retired, receiving survivor annuities or State compensation under the Public School Employees Retirement System.

Senate Bill No. 501, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

Senate Bill No. 502, entitled:

An Act to amend sections one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which

it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the term of office and the election of district superintendents and assistant district superintendents in all second and third class school districts of the Commonwealth.

Senate Bill No. 503, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund.

Senate Bill No. 504, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses.

Senate Bill No. 505, entitled:

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses.

Senate Bill No. 506, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

Senate Bill No. 507, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

Senate Bill No. 508, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania.

Senate Bill No. 509, entitled:

An Act to authorize the collection and preservation of scattered public records and manuscript materials of the Commonwealth by the Pennsylvania Historical and Museum Commission and making an appropriation.

Senate Bill No. 513, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund.

Senate Bill No. 514, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

Senate Bill No. 521, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

Senate Bill No. 522, entitled:

An Act authorizing and directing the Department of Highways with the approval of the Governor to erect and

maintain a bridge over the Susquehanna River connecting the State Highway System in Cumberland County with the system of State highways in Dauphin County and to provide the necessary approaches and connections with such State highways empowering counties to pay certain damages and making an appropriation

Senate Bill No. 523, entitled:

An Act to further amend sections ten and fifteen of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by providing that certain claims may be signed by or have stamped thereon, the facsimile signature of the chief of the delinquent tax bureau.

Senate Bill No. 524, entitled:

An Act to amend sections one thousand four hundred twenty-nine and two thousand five hundred five of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by setting forth the qualifications of certain school nurses requiring their certification and providing for reimbursement on account of school nurses in certain cases.

Senate Bill No. 526, entitled:

An Act to amend subsection (c) of section one of the act, approved the thirty-first day of March, one thousand nine hundred thirty-seven (P. L. 160), entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvania, terminating the terms of the members thereof, and transferring to the Pennsylvania Public Utility Commission the records, employes, property, and equipment of The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise, instituted before, by or against The Public Service Commission of the Commonwealth of Pennsylvania providing that all certificates of public convenience, contracts, orders, and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania," increasing the salaries of the chairman and other commissioners.

Senate Bill No. 527, entitled:

An Act to further amend subsection (a) of section two hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Common-

wealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by increasing salaries of the chairman and members of the Pennsylvania Public Utility Commission.

Senate Bill No. 528, entitled:

An Act to further amend section four hundred fifteen of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by permitting holders of importers' licenses to sell liquor, when in original containers of ten gallons or greater capacity, to licensed manufacturers within this Commonwealth.

Senate Bill No. 529, entitled:

An Act to further amend section three hundred nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 207), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by authorizing the county commissioners, during the last fifteen days of any fiscal year, to transfer and reappropriate any institution district funds to the General County Fund.

## Senate Bill No. 530, entitled:

An Act to amend section ten of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1410), entitled "An act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith," by increasing the minimum annual salaries of associate judges not learned in the law.

## Senate Bill No. 531, entitled:

An Act to further amend section three hundred seventy of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the county commissioners during the last fifteen days of any fiscal year to transfer and reappropriate any county funds to the institution district

## Senate Bill No. 532, entitled:

An Act to further amend the act approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by providing for the establishment of anthracite mine inspection districts, the assignment of inspectors and their duties, and operators' reports.

## Senate Bill No. 533, entitled:

An Act to amend section two of the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 289), entitled, "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor; the fixing of their salaries and necessary expenses incurred in the performance of their duties; and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspectors," by providing for an increase in salary of such electrical inspectors.

## Senate Bill No. 534, entitled:

An Act to amend section four of the act approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor, fixing their salaries and qualifications; providing for the purchase of trucks and necessary equipment to carry on the work; and making an appropriation therefor," providing for an increase in salary of first aid and mine rescue instructors.

## Senate Bill No. 535, entitled:

An Act to amend Rule fifty-four of Article twelve of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176) entitled, "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania,

and for the protection and preservation of property connected therewith," by providing for the posting of said act in pamphlet form at or near a mine or colliery.

## Senate Bill No. 543, entitled:

An Act to amend section three hundred five of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the state department of welfare and the state department of public assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by requiring the approval of the court of quarter sessions for acquiring real property and for selling or leasing real and personal property

## Senate Bill No. 546, entitled:

An Act to repeal section five hundred fifty of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An Act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" so as to remove the limit of expenditures of Commonwealth funds for highway purposes on streets in cities of the first class

## Senate Bill No. 551, entitled:

An Act relating to the disposition of unclaimed moneys in the treasuries of municipalities providing for the title of accounts of moneys placed in municipal depositories the crediting to the appropriate municipalities of amounts held for the payment of checks issued and outstanding for two years or more and the escheat for the use of the municipality of any sums appropriated for their payment when such checks are not presented within seven years from date of issue providing further for the paying over to the municipal treasure of any moneys originally paid to any municipal officer that do not belong to such officer and remain unclaimed for a period of one year for the presenting of claims to such moneys by the persons legally entitled thereto and for the escheat for the use of the municipality of any such moneys unclaimed within seven years.

## Senate Bill No. 559, entitled:

An act to further amend section one thousand seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating the adoption and alteration of budgets

## Senate Bill No. 560, entitled:

An Act to amend section six hundred eighty-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain pro-

visions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the adoption and alteration of budgets in districts of the second third and fourth class.

Senate Bill No. 561, entitled:

An Act to further amend section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An Act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by imposing certain restrictions regarding preparation of proposed budgets

Senate Bill No. 563, entitled:

An Act to further amend sections one thousand eight hundred four and one thousand eight hundred nine of the act approved the twenty-third day of June, one thousand nine hundred thirty-one, (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further regulating the adoption and alteration of budgets.

Senate Bill No. 564, entitled:

An Act to further amend sections three hundred sixty-one and three hundred seventy of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by imposing certain restrictions regarding preparation of proposed budgets.

Senate Bill No. 565, entitled:

An Act to further amend paragraph (1) of subsection A of section nine hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by imposing certain restrictions regarding preparation of proposed budget.

Senate Bill No. 575, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and

administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the transfer of unneeded purchased supplies between departments, boards and commissions.

Senate Bill No. 577, entitled:

An Act to amend section three hundred twenty-six of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by providing that stock issued upon any increase of capital made by any stock insurance company may be exchanged for stock of another insurance company without the right of stockholders of the issuing company to subscribe to such new stock where the terms and conditions of such exchange are approved by the Insurance Commissioner after a hearing.

Senate Bill No. 580, entitled:

An Act to further amend sections four and five of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases.

Senate Bill No. 581, entitled:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by further providing for emergency registration of nurses.

Senate Bill No. 583, entitled:

An Act to amend clause XXVIII of section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by increasing the amount which township supervisors may expend to care for abandoned or neglected cemeteries.

Senate Bill No. 585, entitled:

An Act authorizing certain officers in cities of the first class and in school districts of the first class coterminous therewith to abate penalties and interest on unpaid city and school real estate taxes under certain conditions.

## Senate Bill No. 598, entitled:

An Act to amend subsection B of section one thousand five hundred and six of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National Banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employees of all such corporations or private bankers, or of affiliated corporation, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by adding thereto the provision that certain corporations created by merger or consolidation under the laws of any state of the United States other than Pennsylvania may act in a fiduciary capacity in this Commonwealth as successors in such capacity to any constituent corporation, and to validate such actions heretofore performed by such corporations.

## Senate Bill No. 601, entitled:

An Act to further amend section eleven of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for retroactive service allowance of certain employees.

## Senate Bill No. 603, entitled:

An Act providing for the payment of salaries to the president and members of the town council of incorporated towns, at the discretion of the town council and for the collection and docketing of costs and fees by the president of town council acting as justice of the peace.

## Senate Bill No. 604, entitled:

An Act providing for the publication of ordinances and resolutions of a legislative character of incorporated towns.

## Senate Bill No. 615, entitled:

An Act to repeal sections two seven and eight of the act approved the eighth day of March one thousand eight hundred and sixty (P. L. 130) entitled "An act for the registration of births marriages and deaths in the City of Philadelphia."

## Senate Bill No. 616, entitled:

An Act to further amend clause seven of section one of the act approved the eighteenth day of July one thou-

sand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for officers and employees of the Department of Public Instruction State Teachers' Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the Deaf and the Pennsylvania Soldiers' Orphans School to withdraw from the Retirement System and receive reimbursement for moneys paid in

## Senate Bill No. 617, entitled:

An Act to further amend clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing that certain employees of the Department of Public Instruction State Teachers Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the Deaf and Pennsylvania Soldiers' Orphan School who are not members of or who may withdraw from the public school employee's retirement association may become members of the State Employees' Retirement Association and receive credit for their service

## Senate Bill No. 619, entitled:

An Act to further amend section eleven of the act approved the seventeenth day of February one thousand nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for the violations of this act" by further regulating the advertisement of statements of moneys to the credit of the various funds in the State Treasury

## Senate Bill No. 621, entitled:

An Act to amend the title and the act, approved the eighth day of July, one thousand nine hundred forty-seven (P. L. 1433), entitled "An act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools; providing for contractual liability; conferring powers and imposing duties on the State Council of Education; and prescribing penalties," by transferring the administration of this act to the State Board of private Correspondence Schools; changing definitions, bringing eleemosynary institutions within the provisions of the act, eliminating the advisory committee; regulating the advertising and soliciting for

students by private correspondence schools; requiring the registration of agents of such schools where their home office is outside of this Commonwealth and providing for a separate non-transferable license for each school.

Senate Bill No. 622, entitled:

An Act to amend the act, approved the eighth day of July, one thousand nine hundred forty-seven (P. L. 1428), entitled "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof; conferring powers and imposing duties upon the State Board of Private Business Schools; and prescribing penalties," by bringing certain non-profit and all eleemosynary institutions within the provisions of the act; regulating the advertising and soliciting for students; including teachers within the definition of the term "agent"; requiring agreement to file surety bond when requested; restricting schools and agents to those subjects specified in their applications and providing for a separate non-transferable license for each school.

Senate Bill No. 623, entitled:

An Act to amend the title and the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 951), entitled "An act defining and providing for the licensing and regulation of private schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties," by transferring the administrative duties to the State Board of Private Academic Schools; changing definitions; bringing eleemosynary institutions within the provisions of this act; eliminating the advisory committee; regulating the advertising and soliciting for students and restricting agents in connection therewith; requiring agreement of schools to file surety bond when requested; and providing for a separate non-transferable license for each school.

Senate Bill No. 624, entitled:

An Act to further amend section two hundred two, and to add sections four hundred fifty-five, four hundred fifty-six, four hundred fifty-seven and four hundred fifty-eight to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by adding State Boards of Private Academic, Private Business, Private Trade and Private Correspondence Schools, to the Department of Public Instruction as administrative departmental boards, and to provide for the appointment of the members to said boards.

Senate Bill No. 625, entitled:

An Act to amend the title and sections one, two, three, four, six, seven and ten of the act, approved the second

day of May, one thousand nine hundred forty-five (P. L. 401), entitled "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board for Vocational Education; and prescribing penalties," by transferring the administration of this act to the State Board of Private Trade Schools; bringing eleemosynary institutions within the provisions of the act; eliminating the advisory committee; regulating the advertising and soliciting for students by private trade schools; changing provisions as to licenses and the holders thereof, and increasing the fees for such licenses, and providing for a separate non-transferable license for each school.

Senate Bill No. 626, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by making certain corrections and additions to conform to existing law; and eliminating inoperative provisions.

Senate Bill No. 628, entitled:

An Act to amend section three hundred twenty-six of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," by authorizing the issuance, authorized but unissued stock to offices and employees of company or subsidiary, upon approval of majority of stockholders and eliminating certain advertising requirements relating to issuance of increases of capital stock.

Senate Bill No. 629, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement fund for the administration thereof; establishing certain bonds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employee" and "Original member" to include persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania.

Senate Bill No. 633, entitled:

An Act to amend section eight of the act approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095) entitled, "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting

lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals, and imposing penalties, and making appropriations," by requiring an operator to file a new bond with the Department of Mines at the end of an operational year, covering such areas as he estimates will be affected during the coming year which are not included in a former bond, and extending any unencumbered portion of a bond already filed with the Department so as to include and cover new acres.

Senate Bill No. 634, entitled:

An Act to amend rule forty of article twelve of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by eliminating the need for the presence of a footman and headman at certain slopes and shafts.

Senate No. 635, entitled:

An Act to further amend section six hundred thirty-nine of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" empowering the Insurance Commissioner to refuse to renew licenses under certain conditions.

Senate Bill No. 636, entitled:

An Act to further amend section six hundred three of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by further regulating the issuance of agents' licenses.

Senate Bill No. 637, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by requiring the computation of policy and loss reserves upon certain health and accident insur-

ance and establishing certain standards relative to the same.

Senate Bill No. 638, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same.

Senate Bill No. 640, entitled:

An Act to repeal section five hundred thirty-four of the act, approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund providing penalties; and repealing existing laws," relating to the right of certain mutual fire insurance companies to become stock companies.

Senate Bill No. 642, entitled:

An Act to amend section eight hundred seven of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," by further regulating reserves with respect to domestic mutual fire insurance companies.

Senate Bill No. 645, entitled:

An Act requiring companies and organizations subject to examination by the Insurance Commissioner to maintain uniform classifications of accounts and records; make uniform reports; and prescribing penalties.

Senate Bill No. 647, entitled:

An Act relating to insurers not authorized to transact business in this State providing for actions in this State against and for the service of process upon such insurers; prescribing how a defense may be made by such insurers; and providing for the allowance of attorneys fees in actions against such insurers

Senate Bill No. 650, entitled:

An Act to add section thirty point one of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining

fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulated such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for services of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the computation of certificate and loss reserves with respect to noncancellable health and accident benefits

Senate Bill No. 651, entitled:

An Act to amend section five of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1643), entitled "An act relating to certain existing beneficial societies; conferring certain rights, powers, and duties upon them, their officers and members; authorizing the payment of benefits by them in the event of sickness, accident, disability or death; regulating such societies and corporations; and limiting the amount for which they may issue membership certificates or policies; providing for reserves; imposing penalties; and repealing certain existing laws and parts of law," by changing the reserve requirements for such societies with respect to certain non-cancellable health and accident insurance.

Senate Bill No. 653, entitled:

An Act to amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled "An act creating as bodies corporate and politic 'Parking Authorities' in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any authority thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions of the act to certain cities.

Senate Bill No. 654, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the City of Philadelphia

Senate Bill No. 655, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance

carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing insurance companies, associations and exchanges to make further investments of capital reserve and surplus funds in obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

Senate Bill No. 657, entitled:

A Supplement to the act, approved the first day of June, one thousand nine hundred forty-three (P. L. 798), entitled "An act providing that the State of Pennsylvania may enter into a compact with any one or more of the States of Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida, and with such other states as may join, to promote the better utilization of the fisheries, marine, shell and anadromous of the Atlantic Seaboard, and to create the Atlantic States Marine Fisheries Commission; providing for the members of such commission from the State of Pennsylvania; providing for the carrying out of said compact; and making an appropriation," by authorizing the Governor to enter into an amendment of the Atlantic States Marine Fisheries Compact; providing that two or more states may constitute their representatives on such commission as a joint agency for the regulation of specific fisheries in which they have a common interest, and may delegate to such agency such responsibility and duties as they may mutually agree upon.

Senate Bill No. 658, entitled:

An Act to further amend sections two thousand six hundred twenty-three and two thousand six hundred twenty-eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the compensation of auditors in districts of the third and fourth class.

Senate Bill No. 660, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of, and the purchase of apparatus and equipment for the Western State Psychiatric Institute and Clinic, and for the conduct of teaching and research on the cause, treatment, prevention and cure of the various types of nervous disorders and mental diseases; and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic.

Senate Bill No. 663, entitled:

An Act authorizing the compromise and arbitration of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

Senate Bill No. 664, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for expenditure thereof for the purpose of study and research in the development of the adaptation of the acid open hearth process for the manufacture and improvement of steel more particularly of special grades of steel

## Senate Bill No. 665, entitled:

An Act authorizing and directing the Department of Property and Supplies to convey to the Board of Trustees of the University of Pittsburgh a certain plot of ground and the building thereon located adjacent to the campus of the University of Pittsburgh for the purpose of providing additional land required by the Medical Center of the University which will include a Graduate School of Public Health.

## Senate Bill No. 666, entitled:

An Act to amend section three thousand seven hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending, revising and consolidating the law relating thereto" by further providing for the appointment of the members of recreation boards"

## Senate Bill No. 667, entitled:

An Act to amend section four hundred seven of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by deleting the provisions which limit the number of wards in such cities.

## Senate Bill No. 671, entitled:

An Act to amend section one hundred two, clause (b) of section three hundred seven, clause (b) of section three hundred eight, clause (a) of section three hundred fourteen, and sections six hundred one, seven hundred one and seven hundred three of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution districts taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by authorizing counties to elect to become subject to said act; providing for the transfer of tax claims to the Tax Claim Bureau and for the determination of the validity of tax claims; and providing for the stay of tax sales by the court of common pleas.

## Senate Bill No. 680, entitled:

An Act to further amend section four of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employees to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; con-

ferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government and courts; providing for the right of employees to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing the representatives of a majority of the employees be the exclusive representatives of all the employees; authorizing the board to conduct hearings and elections, and certify as to representatives of employees for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, an establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by increasing the powers of the Pennsylvania Labor Relations Board.

## Senate Bill No. 681, entitled:

An Act making an appropriation to the Brandywine Battlefield Park Commission for the payment of necessary expenses

## Senate Bill No. 683, entitled:

An Act to amend subsection A of section three point one and to add section three point two to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by providing for joinder in existing authorities by additional municipalities and making provision for the amendment of articles of incorporation by an authority.

## Senate Bill No. 688, entitled:

An Act to further amend sections two hundred ten and five hundred eleven of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," establishing one procedure for changing, altering or establishing the width, lines, locations or grades of State highways in townships and boroughs and incorporated towns.

## Senate Bill No. 689, entitled:

An Act to further amend section five hundred twenty-one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof

of, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing and authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by eliminating the requirement that contractors file with the Commonwealth certified payrolls of work done under public works contracts.

**Senate Bill No. 691, entitled:**

An Act to amend section seventeen point three of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; and imposing certain charges on counties," by extending the retirement privileges of certain county officers.

**Senate Bill No. 700, entitled:**

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by transferring certain duties heretofore imposed under this act on the Department of Public Instruction to the State Board of Cosmetology.

**Senate Bill No. 701, entitled:**

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Cosmetology as a departmental administrative board in the Department of Public Instruction, and prescribing its powers and duties.

**Senate Bill No. 702, entitled:**

An Act providing for powers, responsibilities, duties and limitations of the Governor, Adjutant General, De-

partment of Military Affairs, Pennsylvania State Armory Board, Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth; for the definition, organization, powers and limitations of the unorganized militia, Pennsylvania National Guard, Pennsylvania Guard, Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth.

**Senate Bill No. 703, entitled:**

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," by excluding auctioneers of land from the definition of real estate broker or salesman.

**Senate Bill No. 708, entitled:**

An Act to amend sections one and two of the act, approved the eighteenth day of June, one thousand nine hundred forty-one (P. L. 137) entitled "An act providing for the appointment, powers and control of members of volunteer fire companies as special fire police, and conferring powers on them at fires attended by their fire companies in any city, borough, town and township," extending the rights and powers of special fire police to other duties performed upon request of municipal authorities.

**Senate Bill No. 711, entitled:**

An Act to further amend subsection (d) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by stating under what circumstances sureties shall be discharged from liability

**Senate Bill No. 716, entitled:**

An Act creating a Highway Planning Commission to develop a long range highway program for the Commonwealth and to make report thereon; defining the powers and duties of the commission; and making an appropriation out of the Motor License Fund.

**Senate Bill No. 718, entitled:**

An Act to add section five hundred twenty-two to the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending revising consolidating and changing the laws relating thereto," by requiring a consolidated report by school directors covering all matters now or hereafter required to be reported to the Department of Public Instruction and the Public School Employes' Retirement Board; imposing duties on the Department of Public Instruction; and making an appropriation.

**Senate Bill No. 719, entitled:**

An Act to impose a temporary tax on real estate for public school purposes in school districts of the first class for current expenses.

## Senate Bill No. 720, entitled:

An Act requiring certain associations furnishing telephone service only to their stockholders or members on a non-profit basis to secure certificates of public convenience from the Pennsylvania Public Utility Commission to commence to engage in furnishing telephone service or to extend telephone service into areas not being served; and providing for judicial review of orders of the Commission relating to such certificates; and providing penalties.

## Senate Bill No. 721, entitled:

An Act to amend section three of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1383), entitled "An act to protect the health, safety and welfare of the public, by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations; defining the powers and duties of said board; authorizing purchase or condemnation of necessary properties, easements, rights and right-of-ways; and making an appropriation," by prohibiting and dredging operations deemed inimical to the project.

## Senate Bill No. 723, entitled:

An Act to further amend section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227), entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock or any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations, and repealing all acts or parts of acts inconsistent herewith," by authorizing further changes in the capital stock requiring a class vote of stockholders to authorize certain changes and providing for the valuation and purchase by the corporation of the shares of dissenting stockholders in certain situations.

## Senate Bill No. 724, entitled:

An Act to amend the title and Section 1 of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 679) entitled, "An act authorizing corporations to issue stock to their employees and to employees of their subsidiaries at par value or at a price in excess of par value" by eliminating the requirement that such an issue be at par value and authorizing such an issue without first offering such shares to the stockholders subject to certain limitations.

## Senate Bill No. 725, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating per-

sons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots broadening exemption for hauling agricultural products or farm supplies: and eliminating expired provisions.

## Senate Bill No. 729, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duties of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of cross-

ngs of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation by towing of wrecked or disabled motor vehicles; and eliminating expired provisions.

#### Senate Bill No. 732, entitled:

An Act to amend part of section two of the act, approved the second day of July, one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax, payable by those herein defined as users, on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such users to secure licenses, to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State Officers and departments; providing for refunds of taxes, penalties, and interest illegally or erroneously collected from licensed users; and making appropriations," by further defining "public highways."

#### Senate Bill No. 735, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 152), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

#### Senate Bill No. 736, entitled:

An Act to amend the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession,

transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing that application for a liquor license by the holder of a malt beverage license for premises already licensed shall not be deemed application for a new license; further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

#### Senate Bill No. 745, entitled:

An Act to add section two hundred eleven point one to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by authorizing the assessment and collection by the Insurance Commissioner of assessments against life insurance companies to defray expenses of the committee on valuation of securities of the National Association of Insurance Commissioners providing for the determination of the amount of such assessments and the expenditure of such assessments by the Commissioner

#### Senate Bill No. 747, entitled:

An Act to amend section three hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished; revising amending, changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to every county controller for the expenses pertaining to the institution district

#### Senate Bill No. 748, entitled:

An Act to amend section four of the act approved the

twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" by extending the power and duties of the Commission.

**Senate Bill No. 751, entitled:**

An Act authorizing officers of counties of the first class and of cities of the first class in certain cases to destroy and dispose of records or other papers deemed valueless subject to approval by the courts and of the Pennsylvania Historical and Museum Commission.

**Senate Bill No. 752, entitled:**

An Act authorizing the recording copying and recopying of documents plats papers written instruments records and books on file or of record and the replacement and certification of originals previously filed and of records by officers of counties of the first class and of cities of the first class by photostatic photographic microphotographic microfilm or other mechanical process relating to the effect and use of such copies records reproductions replacements and transcripts or certified copies thereof and providing for revision of and entries to be made on originals and copies so produced or replaced.

**Senate Bill No. 754, entitled:**

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

**Senate Bill No. 756, entitled:**

An Act to further amend section eight hundred six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating certain exceptions to the prohibition against possessing in or on vehicles and conveyances, loaded firearms and loose ammunition.

**Senate Bill No. 760, entitled:**

An Act to further amend the Act, approved the twenty-fifth day of June, one thousand nine hundred and thirty-seven (P. L. 2063), entitled "Providing for the payment into the State Treasury, without escheat, of certain moneys and property subject to escheat under existing law, namely unclaimed dividends and profits, certain debts, and interest on certain debts, proceeds of policies of insurance, stock and customers deposits held by certain limited partnerships and unincorporated associations, joint-stock associations, companies and corporations doing business under the laws of this Commonwealth; declaring the legislative intent with respect to such payments; requiring reports of such money and property, by, and imposing other duties upon, such partnerships, associations, and corporations; conferring powers and imposing duties and certain State officers, boards, and departments; providing for jurisdiction of courts, and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue; providing for refunds of such moneys and property; and prescribing penalties," by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth.

**Senate Bill No. 761, entitled:**

An Act providing for the payment into the State Treasury through the Department of Revenue, without escheat, of certain unclaimed funds held under policies of life or endowment insurance and owing to persons whose last known address was in this Commonwealth by life insurance companies doing business in this Commonwealth; requiring reports of such funds by such life insurance companies; requiring notices and publication by the Department of Revenue of certain information pertaining to such unclaimed funds; conferring powers and imposing duties on certain State officers, boards and departments; indemnifying and agreeing to hold harmless life insurance companies upon payment of such funds to the Department of Revenue; providing for refunds of such funds; requiring the Department of Revenue to keep certain records; exempting certain unclaimed funds; making certain other statutes inapplicable; and prescribing penalties.

**Senate Bill No. 762, entitled:**

An Act to further amend the act approved the seventh day of June 1915 (P. L. 878) entitled as amended "An act providing for the escheat of certain property received for storage or safe-keeping or otherwise and of certain deposits of money also for the escheat of certain dividends profits debts and interest on debts of corporations companies banks national bank trust companies insurance companies limited partnerships and partnership associations doing business in this Commonwealth except building and loan associations also for the escheat of certain moneys property and estates held by persons partnerships associations or corporations in any fiduciary capacity whatsoever and the profits accretions and interest on such moneys property and estates as well as the interest thereon accrued between the date of the decree of any court ordering the distribution of such moneys property and estates and the actual distribution thereof also for the escheat of certain moneys paid into or deposited in any court of this Commonwealth or in any Federal court in and for any district within the Commonwealth or in the custody of any officer of such court and for the escheat of certain other moneys property and estates held in any manner by any person association or body corporate for the benefit of another" by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth.

**Senate Bill No. 763, entitled:**

An Act designating the Superintendent of Public Instruction as the State educational authority authorized to apply to and receive from the Federal Government or any agency thereof, grants in aid of the public schools and for educational activities therein and providing for the disbursement of such funds.

**Senate Bill No. 767, entitled:**

An Act to further amend rule twenty-five of article twenty-five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by permitting the use of certain instruments and devices for tamping purposes under certain conditions.

**Senate Bill No. 768, entitled:**

An Act to add clause (V) to section two thousand eight hundred one A of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the

conduct of the executive and administrative work of the Commonwealth by the executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by providing for the establishment of an extension museum pertaining to war history by the Pennsylvania Historical and Museum Commission and the Department of Military Affairs.

**Senate Bill No. 769, entitled:**

An Act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district.

**Senate Bill No. 776, entitled:**

An Act to further amend clause nine of section one, of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "Original member" to include certain additional employees.

**Senate Bill No. 781, entitled:**

An Act to amend the title and the act, approved the tenth day of May, one thousand nine hundred twenty-seven (P. L. 884), entitled "An act modifying the common-law rule relating to property hereafter acquired by husband and wife as tenants by entireties, where such husband and wife as subsequently divorced; providing for the sale of property held by husband and wife as tenants by entireties where they have been divorced; and directing the distribution of the proceeds of such sale," by providing for the creation of a tenancy in common upon divorce.

**Senate Bill No. 782, entitled:**

An Act to amend section seven hundred fifteen and to add section seven hundred twenty-one point one to the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons, and appropriating the Banking Department Fund;

authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by further regulating liquidation of institutions as therein defined.

**Senate Bill No. 786, entitled:**

An Act for the protection and conservation of shad in the Delaware River and Bay and their tributaries by regulating the take or catch thereof.

**Senate Bill No. 788, entitled:**

An Act to further amend section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by further defining the duties for which compensation and expenses are payable

**Senate Bill No. 789, entitled:**

An Act to further amend clause XXX of section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing appropriations for insurance or compensation coverage upon special fire police killed or injured in the performance of their duties.

**Senate Bill No. 795, entitled:**

An Act authorizing the Department of Forests and Waters, to acquire two tracts of land in Somerset and Bedford Counties, to be used as a State Forest under the jurisdiction of the Department of Forests and Waters, and devoted to hunting, fishing and recreational purposes; and making an appropriation.

**Senate Bill No. 796, entitled:**

An Act fixing the compensation and mileage of county auditors in counties of the sixth and seventh class.

**Senate Bill No. 797, entitled:**

An Act to further amend section four hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing for the compensation of judges, inspectors, clerks and machine inspectors, and for mileage to persons furnishing transportation for transmitting returns and ballot boxes at primaries and elections in all counties except in counties of the first and second class.

## Senate Bill No. 800, entitled:

An Act to amend section four thousand four hundred six of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for appointments to fill vacancies from certified lists.

## Senate Bill No. 805, entitled:

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county Commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by further regulating the leasing and sale of properties by the Tax Claim Bureau authorizing county commissioners to purchase properties at certain tax sales and increasing the percentage charged by the county on moneys collected

## Senate Bill No. 810, entitled:

An Act to further amend section six hundred nineteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making municipalities jointly liable for negligence of their employes driving animal-drawn vehicles.

## Senate Bill No. 819, entitled:

An Act to further amend clause six of section one of the

act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purpose thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by clarifying the definition of State employe

## Senate Bill No. 830, entitled:

An Act to further amend clause two of section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by further providing for assessment of property for maintenance of lights on roads and highways.

## Senate Bill No. 834, entitled:

An Act to reenact and amend the title and the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by including in the plan certain dental services; defining "dental services" and further defining "medical services."

## Senate Bill No. 835, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State Departments, commissions,

and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by making further provisions relating to non-profit medical service corporations, by extending the provisions of said act relating to the furnishing of medical services by non-profit medical service corporations so as to include the furnishing of certain dental services to subscribers and their dependents, and by providing that the articles of incorporation of existing nonprofit medical service corporations are amended by the provisions of this act so as to authorize the furnishing of such dental services by doctors of dental surgery.

**Senate Bill No. 841, entitled:**

An Act to further amend paragraph (e) of section one of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by exempting certain property held in the joint names of husband and wife.

**Senate Bill No. 842, entitled:**

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on the gross receipts of certain persons engaging in certain businesses therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties.

**Senate Bill No. 846, entitled:**

An Act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessor authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employees and imposing penalties.

**Senate Bill No. 850, entitled:**

An Act to provide for an additional law judge of the court of common pleas in the thirty-eighth judicial district.

**Senate Bill No. 851, entitled:**

An Act to add clause XLII to section seven hundred two of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning township of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the supervisors to appropriate money towards nonprofit ambulance services.

**Senate Bill No. 853, entitled:**

An Act to amend section seven hundred seventy-five of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the leasing of school property for any educational purpose approved by the Superintendent of Public Instruction or State Council of Education; and validating prior leases.

**Senate Bill No. 860, entitled:**

An Act to amend section three of the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1199), entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employees; fixing the salaries of members of the board, assessors and assistant assessors, and providing for the payment of salaries and expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making amendments, of the revision and notice of assessments and of appeals therefrom; prescribing the records of assessments; and repealing existing laws," by further prescribing the terms of the officers of the board of revision of taxes.

**Senate Bill No. 866, entitled:**

An Act to further amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses.

**Senate Bill No. 867, entitled:**

An Act to further amend clause thirty-four of section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating of the law relating thereto," by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses.

**Senate Bill No. 868, entitled:**

An Act to further amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184), entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day," by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses.

**Senate Bill No. 869, entitled:**

An Act making an appropriation to the Department of Agriculture for the purpose of establishing and operating a poultry laboratory at the Pennsylvania State College and requiring the Poultry Industry to match the funds so appropriated.

## Senate Bill No. 875, entitled:

An Act to add section one thousand three hundred ten point one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivisions of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the conversion of certain personal property taken without escheat, and conferring jurisdiction on the Court of Common Pleas of Dauphin County.

## Senate Bill No. 877, entitled:

An Act establishing the Pennsylvania State Firemens Training School in or adjacent to the Borough of Lewistown providing for its operation and maintenance by the Department of Public Instruction, authorizing the acquisition of a site, either by gift or purchase by the Commonwealth, or by The General State Authority or the use of land now owned by the Commonwealth; providing for the erection or construction and the furnishing and equipping of buildings and structures by The General State Authority and the leasing thereof by the Commonwealth; and conferring powers and imposing duties upon the Department of Public Instruction and the Public Service Institute Board.

## Senate Bill No. 879, entitled:

An Act to amend the first paragraph and clauses (1) and (3) of subsection (b) of section two hundred one, of the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing for the erection of buildings for the administration of said act on land in or in the immediate vicinity of the City of Harrisburg presently owned by the Commonwealth, and the conveyance or leasing of such land to persons, firms or corporations for such purpose, and for the leasing of such buildings to the Commonwealth, the same to become the property of the Commonwealth upon termination of such lease.

## Senate Bill No. 881, entitled:

An Act to facilitate vehicular traffic in the Western section of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near the City of Erie in Erie County, to connect with the Pennsylvania Turnpike or the Western extension thereof, at such point as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation, constituting such bonds legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes and relocations and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

## Senate Bill No. 883, entitled:

An Act to amend the title and act, approved the sixteenth day of July, one thousand nine hundred forty-one (P. L. 386), entitled "An act providing for the establishment, construction, operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains through, bordering or accessible to the counties of Monroe, Northampton, Carbon, Luzerne, Lackawanna, Wayne and Pike, to be known as the 'Rim Parkway'; providing for the creation of the Pennsylvania Parkway Commission, and conferring powers, and imposing duties on said commission; authorizing the issuance of parkway revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such parkway; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the parkway; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such parkway shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission; conferring powers and imposing duties on the Department of Highways; authorizing the issuance of parkway revenue refunding bonds, and making an appropriation," by changing the name and extending the length of the parkway; establishing the parkway as a memorial; providing that the costs of making surveys, estimates of costs and plans for construction shall be paid from the proceeds of bonds issued by the commission; and repealing the appropriation previously made.

## Senate Bill No. 885, entitled:

An Act for the government, management and control of county jails and prisons in counties of sixth, seventh, and eighth classes.

## Senate Bill No. 890, entitled:

A Joint Resolution proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto Section twenty-two.

## Senate Bill No. 893, entitled:

An Act to amend subsection (a) of section one thousand five hundred eighteen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing provisions for text books on fire dangers and prevention of fire waste.

## Senate Bill No. 894, entitled:

An Act to amend section seven hundred seventy-three of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by permitting tapping of water lines of school districts under certain circumstances.

## Senate Bill No. 896, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions for the classification of school districts.

## Senate Bill No. 897, entitled:

An Act to further amend subsection A of section one thousand twelve of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing banks and trust companies to make loans on security of bonds secured by mortgages upon real property situated within the Commonwealth when said mortgages are insured by the United States Department of Agriculture.

## Senate Bill No. 899, entitled:

An Act to amend subsection (b) of section one thousand one hundred three of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue,

the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing cities of the third class to remove and impound vehicles.

## Senate Bill No. 901, entitled:

An Act accepting the grants, requirements, and benefits of an act of the eighty-first Congress of the United States, approved ....., one thousand nine hundred forty-nine, known as the Educational Finance Act of 1949, bearing public act No. ...., entitled "To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes."

## Senate Bill No. 902, entitled:

An Act to amend section two of the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employees and imposing penalties," by further providing for the collection of delinquent taxes in certain cases.

## Senate Bill No. 905, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by exempting from taxation the volume of business derived from certain sales of trade-ins.

## Senate Bill No. 909, entitled:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation.

## Senate Bill No. 913, entitled:

An Act giving to cities, boroughs and townships, certain temporary powers, regarding rent control.

## Senate Bill No. 917, entitled:

An Act to amend the title and section one of the act, approved the twenty-third day of May, one thousand nine hundred forty-seven (P. L. 293), entitled "An act permitting certain personnel of State owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases," by including managers of veterans administration hospitals within the provisions of the act.

## Senate Bill No. 924, entitled:

An Act to provide for an additional law judge of the court of common pleas in the tenth judicial district.

## Senate Bill No. 926, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey or to lease subject to certain terms and conditions a certain tract of land and a certain right of way in the Township of Upper Saint Clair, County of Allegheny, Pennsylvania.

## Senate Bill No. 928, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by further defining "Judgment," requiring additional information in accident reports; providing for the determination of security by the secretary; providing for proof of financial responsibility in additional cases; providing penalties for furnishing false information and changing effective date of said act.

## Senate Bill No. 929, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by changing requirements for accident reports.

## Senate Bill No. 930, entitled:

An Act to reenact and amend the title, and to reenact the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 553), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles, and to make uniform the law with reference thereto; requiring operators and owners of

automobiles, under certain circumstances, to furnish proof of financial responsibility, as herein defined; providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer, and prothonotaries; and prescribing penalties."

## Senate Bill No. 936, entitled:

An Act to amend sections, two, three, four, five, six, seven and eight of the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 368), entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite, from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents, and providing penalties," by defining substandard anthracite; requiring producers, dealers and persons engaged in the sale of anthracite to issue certain statements and keep certain records; and changing penalties.

## Senate Bill No. 939, entitled:

An Act making bonds of school districts valid and binding obligations of such districts despite failure to advertise election in a newspaper of general circulation.

## Senate Bill No. 944, entitled:

An Act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines, and the expenses incident to their office.

## Senate Bill No. 945, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the examination and clinical treatment of pupils by psychologists and psychiatrists.

## Senate Bill No. 951, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal.

## Senate Bill No. 956, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highway of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of

their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further providing for the uniformity control and erection of traffic signs, signals and markings.

**Senate Bill No. 957, entitled:**

An Act to amend section nine hundred fifteen of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for city expenditures for city business.

**Senate Bill No. 959, entitled:**

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by prohibiting soliciting or accepting gifts or donations from teachers or supervisors by school directors; authorizing withholding of State appropriations; clarifying the term "professional employees;" changing provisions for minimum salaries of part-time teachers supervisors and principals and State reimbursement therefor; and providing for part-time and evening vocational classes, schools, departments and programs, attendance thereat in other districts, and reimbursement therefor between school districts.

**Senate Bill No. 960, entitled:**

An Act authorizing the Department of Forests and Waters to accept on behalf of the Commonwealth certain real estate situate in Elk County subject to the reservations in the chain of title.

**Senate Bill No. 963, entitled:**

An Act to amend subsection (b) of section one thousand three hundred seventy-six, and subsection (b) of section one thousand three hundred seventy-seven of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing payments by the Commonwealth for instruction of parents of certain blind children in caring for such children.

**Senate Bill No. 967, entitled:**

An Act authorizing the Department of Property and Supplies with the approval of the Governor, and the Board of Trustees of Mansfield State Teachers College, to acquire a tract of land for the use of Mansfield State Teachers College; and making an appropriation therefor.

**Senate Bill No. 970, entitled:**

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and of the United States of America, to sell at public sale to the highest bidder a part of certain real estate located in Dauphin County recently acquired by the Commonwealth from the Reconstruction Finance Corporation.

**Senate Bill No. 975, entitled:**

An Act to facilitate vehicular traffic in the eastern section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near the City of Scranton in Lackawanna County, to connect with the Pennsylvania Turnpike at such point near Harrisburg, as the Pennsylvania Turnpike Commis-

sion may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system; and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes and relocations and restoration of public roads and State highways, affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

**Senate Bill No. 976, entitled:**

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Indiana State Teachers College, to acquire a tract of land for the use of the Indiana State Teachers College; and making an appropriation therefor.

**Senate Bill No. 977, entitled:**

An Act to authorize any administrative department, board, commission, agency or instrumentality of the Commonwealth and in its behalf, with the approval of the Governor to sell, assign or transfer any lands, easements or rights in lands together with improvements and any contracts or agreements to any Authority created by the General Assembly of the Commonwealth; to enter into contracts with such Authority and repealing certain Acts of Assembly.

**Senate Bill No. 978, entitled:**

An Act to amend the title and the act, approved the fifteenth day of June, one thousand nine hundred thirty-seven (P. L. 1743), entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon and prohibiting certain practices by magistrates; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of additional clerks and fixing their compensation; regulating the practice in magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts, and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior acts," by further regulating magistrates and magistrates' courts and practice; increasing the salary of magistrates; defining additional unlawful practices; imposing duties upon the Attorney General and the District Attorney; and repealing certain sections and inconsistent legislation.

**Senate Bill No. 980, entitled:**

An Act to amend Sections six eight and nine of the act approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095), entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for conservation and improvement of lands affected directly or

indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling or stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals and imposing penalties and making appropriations," by increasing the amount of the bond to be furnished by an operator and clarifying the provisions requiring a bond and further regulating the furnishing of bonds.

Senate Bill No. 983, entitled:

An Act to amend the act approved the thirty-first day of May, one thousand nine hundred forty-five (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," by further regulating the mining of bituminous coal by the open pit mining method.

Senate Bill No. 984, entitled:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft and prescribing penalties.

Senate Bill No. 985, entitled:

An Act to authorize political subdivisions to acquire by purchase, condemnation or in any other manner, pillars in anthracite and bituminous coal mines or other property necessary to the support of the surface above such mines or structures thereon, in order to prevent subsidence thereof.

Senate Bill No. 986, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of West Chester State Teachers College, to acquire two tracts of land for the use of West Chester State Teachers College; and making an appropriation therefor.

Senate Bill No. 987, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Cheyney Training School for teachers, to acquire a tract of land in Delaware County, for the use of Cheyney Training School for teachers; and making an appropriation therefor.

House Bill No. 3, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by changing the rank which the Adjutant General may have in the Pennsylvania National Guard.

House Bill No. 4, entitled:

An Act authorizing the Armory Board of the State of Pennsylvania, with the approval of the Governor, to acquire a certain tract of land for use of the Armory Board of the State of Pennsylvania and making an appropriation therefor.

House Bill No. 5, entitled:

An Act to further amend paragraph (j) of section fourteen hundred two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by restricting the application of certain provisions.

House Bill No. 7, entitled:

An Act to amend section two of the act approved the seventeenth day of March one thousand nine hundred twenty-five (P. L. 34) entitled "An act regulating the sale of oysters at retail" making first violations of said act summary offenses instead of misdemeanors

House Bill No. 8, entitled:

An Act to further amend section five of the act approved the eleventh day of March one thousand nine hundred nine (P. L. 15) entitled "An act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors

House Bill No. 9, entitled:

An Act to further amend section three of the act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors

House Bill No. 10, entitled:

An Act to amend section four of the act, approved the third day of March, one thousand nine hundred twenty-five (P. L. 10), entitled "Fruit Syrup Law," making first and second violations of said act summary offenses instead of misdemeanors.

House Bill No. 11, entitled:

An Act to amend section three of the act, approved the twenty-ninth day of June, one thousand nine hundred twenty-three (P. L. 929), entitled "Skimmed Milk Law," making first and second violations of said act summary offenses instead of misdemeanors.

House Bill No. 12, entitled:

An Act to amend section four of the act, approved the twenty-first day of March, one thousand nine hundred twenty-three (P. L. 28), entitled "Condensed Milk Law," making first and second violations of said act summary offenses instead of misdemeanors.

House Bill No. 13, entitled:

An Act to amend section three of the act approved the tenth day of July one thousand nine hundred nineteen (P. L. 900) entitled "An act relating to eggs prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell eggs for and as fresh that are not fresh eggs or of branding or of labeling or marking eggs as being fresh eggs that are not fresh eggs prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" making first violations of said act summary offenses instead of misdemeanors

House Bill No. 14, entitled:

An Act to amend section one of the act approved the twenty-eighth day of March one thousand nine hundred five (P. L. 64) entitled "An act to prohibit the selling shipping consigning offering for sale exposing for sale or having in possession with intent to sell as fresh any meat poultry game fish or shell fish which contains any

substance or article possessing a preservative or coloring character or action making the same a misdemeanor and to prescribe penalties and punishment for violations and the means and the methods of procedure for the enforcement thereof" making the first violations of said act summary offenses instead of misdemeanors

**House Bill No. 15, entitled:**

An Act to amend section twelve of the act, approved the twenty-sixth day of June, one thousand nine hundred nineteen (P. L. 670), entitled "Cold Storage Warehouse Food Law," making first and second violations of said act summary offenses instead of misdemeanors.

**House Bill No. 16, entitled:**

An Act to further amend section one of the act approved the tenth day of June one thousand eight hundred ninety-seven (P. L. 142) entitled "An act to prohibit the adulteration or coloring of milk or cream by the addition of so called preservatives or coloring matter and to provide for the enforcement of the same" making first violations of said act summary offenses instead of misdemeanors

**House Bill No. 17, entitled:**

An Act to amend section two of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" making first violation of said act summary offenses instead of misdemeanors

**House Bill No. 24, entitled:**

An Act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the record's office; invalidating zoning ordinances hereto adopted unless copies thereof, together with maps, are filed within a certain time, and imposing duties and conferring powers on recorders of deeds.

**House Bill No. 26, entitled:**

An Act to reenact section four of the act approved the fourth day of April one thousand seven hundred ninety-eight (2 Smith Laws 331), entitled "An act limiting the time, during which judgment shall be a lien on real estate, and suits may be brought against the sureties of public officers," relating to the time suits may be brought against sureties of public officers.

**House Bill No. 28, entitled:**

An Act to further amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, and four thousand three hundred twenty-four of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," further regulating the retirement of firemen on pensions; and requiring certain payments to be made to the Firemen's Pension Fund by cities.

**House Bill No. 43, entitled:**

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges; defining the powers and duties of the Governor the Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; providing for the payment of interest on, and the redemption of such bonds; and making an appropriation.

**House Bill No. 45, entitled:**

An Act empowering the Secretary of Highways to acquire toll bridges located wholly within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation.

**House Bill No. 65, entitled:**

An Act to further amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred seven (P. L. 292), entitled "An act to provide for the protection of insane persons, feeble-minded persons, and epileptics, and the appointment of a guardian for the said insane persons, feeble-minded persons, and epileptics, unable to care for their own property; authorizing the guardian to support the wife and children of the said insane persons, feeble-minded persons, and epileptics; defining the powers of the guardian and authorizing the sale of real estate of the ward," permitting petitions to be presented to the president judge of the court of common pleas when such courts are not in session.

**House Bill No. 69, entitled:**

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled, as amended "The Workmen's Compensation Act," by providing for compensation in the case of self employers.

**House Bill No. 81, entitled:**

An Act to amend section twenty-five of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "Uniform Vital Statistics Act," by eliminating the requirements for Local Registrars of Vital Statistics to endorse permits for burial removal or other disposition of bodies of persons whose death or stillbirth occur outside of this State and requiring the filing of such permits with such Local Registrars.

**House Bill No. 84, entitled:**

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in Erie County Pennsylvania for use as a veterans' administration hospital and ceding jurisdiction to the United States

**House Bill No. 101, entitled:**

An Act to amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by changing the compensation of the officers and employes of the Senate and the House of Representatives and making appropriations

**House Bill No. 103, entitled:**

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase, condemnation, lease or gift certain lands adjacent to the Daniel Boone Homestead property; providing for the maintenance and improvement thereof; and making an appropriation for the payment of the costs of such acquisition.

## House Bill No. 104, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the township of Upper Providence Delaware County Pennsylvania with the approval of the Governor.

## House Bill No. 105, entitled:

An Act to amend sections two three and four of the act approved the twenty-fourth day of March one thousand nine hundred thirty-seven (P. L. 109) entitled "An act relating to interstate cooperation creating the Pennsylvania Commission on Interstate Cooperation as well as committees on interstate cooperation of the Senate and of the House of Representatives defining the powers and duties of said commission and of said committees and imposing duties on the Governor and the Secretary of the Commonwealth" by changing the method of appointing members to the Senate and House Committees and of the chairman of the commission

## House Bill No. 107, entitled:

An Act to amend clause (c) of section nine hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by providing for the number of signatures required on nominating petitions of associate judges, unlearned in the law.

## House Bill No. 108, entitled:

An Act to further amend subsection (b) of section twelve of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended, "Beverage License Law," by authorizing the board to approve additional places of storage for certain licensees.

## House Bill No. 110, entitled:

An Act to amend subsection B of section twelve of the act, approved the sixth day of April, one thousand nine hundred thirty-seven (P. L. 200), entitled "Pawnbrokers License Act," to provide for receipt in duplicate.

## House Bill No. 114, entitled:

An Act to add section six hundred two point two to the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," authorizing conveyance by school districts of the third and fourth class of unused and unnecessary lands and buildings to the city, borough, town or township coterminous with the district.

## House Bill No. 121, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "State Employees Retirement Law," by further defining State employees and original members by extending the time until which employees of institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals may become contributors to the State Employees' Retirement Fund.

## House Bill No. 137, entitled:

An Act to amend section nine hundred five of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," relating to fixed charges payable by the Commonwealth in lieu of taxes on real property.

## House Bill No. 138, entitled:

An Act providing for the payment of moneys to political subdivisions the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the purpose of securing the payment or repayment of money due the Commonwealth.

## House Bill No. 140, entitled:

An Act to further amend section one thousand four hundred two of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," defining the residence of certain children living upon State owned property, and providing for certain Commonwealth reimbursements.

## House Bill No. 141, entitled:

An Act to amend subsection (b) of section two hundred eighty-nine of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," relating to fixed charges payable by the Commonwealth in lieu of taxes on real property.

## House Bill No. 144, entitled:

An Act enabling and authorizing the Department of Public Instruction or any of its departmental administrative boards commissions or offices to proceed by injunction or any other process in the Court of Common Pleas in any county where the alleged unauthorized practice was committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by the Department of Public Instruction and to set out the method and procedure therefor.

## House Bill No. 145, entitled:

An Act to further amend clause (k) of section one thousand three hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," eliminating requirement that the Department of Public Instruction appoint members of advisory committees from lists submitted by State associations.

## House Bill No. 146, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," further providing for the membership of certain State boards and commissions.

## House Bill No. 153, entitled:

An Act to further amend section twelve of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law," by further providing for disability retirement allowances of persons able to engage in gainful occupations.

## House Bill No. 158, entitled:

An Act granting credit toward pensions or retirement benefits of certain members of the police force employed by political subdivisions for time spent in the military service of the United States.

## House Bill No. 161, entitled:

An Act to amend sections four thousand three hundred two and four thousand three hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third

Class City Law," by prescribing a minimum period of continuous service for police retirement; prescribing a minimum rate for police pensions.

House Bill No. 167, entitled:

An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions in whole or in part, for the care and treatment of mental patients and repealing inconsistent laws," changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions.

House Bill No. 172, entitled:

An Act to amend clause (2) of section seven and section nine of the act, approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1046), entitled "State Tax Equalization Board," by changing the requirements relating to the furnishing of reports in counties of the first class.

House Bill No. 173, entitled:

An Act to amend section two thousand two hundred and sixteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by eliminating the requirement that the amount of a contract shall be charged against the budget of more than one year where the contract extends for a longer period than one year.

House Bill No. 176, entitled:

An Act validating certain sheriffs' sales of real estate for non-payment of taxes and other municipal liens, and validating the title to such real estate in the hands of purchasers, their heirs, grantees, and assigns.

House Bill No. 178, entitled:

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems.

House Bill No. 182, entitled:

An Act to amend section one of the act approved the fifth day of July one thousand nine hundred forty-seven (Appropriation Acts Page 53 Act No 62-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the Commonwealth and the amount of the total appropriation

House Bill No. 183, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

House Bill No. 186, entitled:

An Act to amend section one thousand one hundred thirty-five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "The Second Class Township Law," by removing restrictions as to length regarding improvement of streets or roads and petitions relating thereto.

House Bill No. 189, entitled:

An Act to amend the title and section one of the act, approved the twenty-second day of March, one thousand eight hundred sixty-five (P. L. 30), entitled "An act to authorize, and make valid, conveyances by wives, during their minority, of their interests in their husband's real estate," authorizing minor husbands to join in conveyances of their wife's real estate, and to validate such conveyances heretofore made.

House Bill No. 190, entitled:

An Act to amend section one of the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 645), entitled "An act imposing certain requirements on certain hospitals receiving State aid; authorizing the withholding of appropriations; and imposing duties on the department of Welfare," by limiting the power of State aided hospitals to increase its staff of physicians and internes; imposing duties on the Department of Welfare.

House Bill No. 195, entitled:

An Act to amend article eleven of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by providing for restitution in offenses against personal property.

House Bill No. 200, entitled:

An Act establishing a Pennsylvania Liquor Control Board Officers Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board; providing for contributions by officers of the Pennsylvania Liquor Control Board and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

House Bill No. 206, entitled:

An Act to further amend section two thousand eight

hundred one A, of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," further regulating the disposition of museum material in the custody of the Pennsylvania Historical and Museum Commission.

House Bill No. 216, entitled:

An Act requiring political subdivisions to file copies of building ordinances in the recorder's office, invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds.

House Bill No. 220, entitled:

An Act to add section two thousand one hundred fourteen to the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929" requiring the Department of Health to compile and maintain statistics on the rehabilitation of alcoholics.

House Bill No. 224, entitled:

An Act to further amend section four hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by eliminating the limitation upon the number of delegates a board of school directors may appoint to a State convention or association of school directors.

House Bill No. 226, entitled:

An Act to further amend section eight hundred three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" by increasing the expenses allowed to school directors for attending annual conventions of school directors.

House Bill No. 228, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" by requiring school districts sending pupils to a district of the fourth class which is paying a sewer charge or rental on a per pupil basis, to pay to the receiving district such charge or rental for each pupil sent.

House Bill No. 229, entitled:

An Act to amend section four hundred five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" authorizing boards of school directors to appropriate monies for payment of medical and hospital expenses and accident insurance for participants in school athletics.

House Bill No. 233, entitled:

An Act validating certain legal proceedings in the course of which official or legal notice has been published in a newspaper which suspended publication for a limited period.

House Bill No. 234, entitled:

An Act to add a new section to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code" by prohibiting the use of the highways to vehicles in which television sets are installed within the view of the operator.

House Bill No. 238, entitled:

An Act to further amend section one of the act approved the third day of May, one thousand nine hundred

twenty-three (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution" by including Catholic War Veterans Inc., among the veterans' organization entitled to the printing of convention reports.

House Bill No. 239, entitled:

An Act to further amend section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by including Catholic War Veterans, Inc., among the organizations exempt from payment of registration fees of vehicles used by such organization.

House Bill No. 240, entitled:

An Act to further amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day," by including Catholic War Veterans, Inc. among the veterans' organizations to which certain appropriations may be made.

House Bill No. 241, entitled:

An Act to further amend clause thirty-four of section twenty-four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by including Catholic War Veterans, Inc., among the veterans' organizations for which certain appropriations may be made.

House Bill No. 242, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing the formation of a State Association of Recorders of Deeds, providing for the payment by counties of certain expenses in connection therewith; and renumbering certain existing sections.

House Bill No. 254, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by providing under what circumstances hunting camp and cabin site leases may be cancelled by the Commonwealth.

House Bill No. 258, entitled:

An Act to amend Article twelve, Sections twelve hundred two, twelve hundred three, and twelve hundred ten, of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," to clarify the provisions concerning legal procedure in the enforcement thereof.

House Bill No. 260, entitled:

An Act establishing a Pennsylvania Game Commission Retirement System; providing for payments upon retirement death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board; providing for contributions by employees of the Pennsylvania Game Commission and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the

subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities; allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

House Bill No. 265, entitled:

An Act to further amend clause (j) of section two thousand four hundred six of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by further regulating the distribution to the public of documents published by the Department of Property and Supplies.

House Bill No. 279, entitled:

An Act to amend section two thousand two hundred one, two thousand two hundred four and two thousand two hundred six of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by authorizing the creation of bureaus of mine inspection and surface support by cities within bituminous regions, and regulating mining and the removal of natural surface support in cities.

House Bill No. 285, entitled:

An Act to further amend sections one and eight of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled "An act providing for the creation, maintenance and operation of a county employees' retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties," further regulating such retirement systems.

House Bill No. 287, entitled:

An Act to further amend section five of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1007), entitled "An act to prevent fraud and deception; regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth; regulating sales of fruits and vegetables in original unbroken standard containers; imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures; and prescribing penalties," prescribing minimum penalties.

House Bill No. 288, entitled:

An Act to further amend subsections (3) and (4) of section three and section seven of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "Licensed Weighmasters Act," further defining the powers of weighmasters and the inspectors of weights and measures.

House Bill No. 289, entitled:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" extending the provision thereof to measuring devices.

House Bill No. 290, entitled:

An Act to amend section nine and to further amend section ten of the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof,"

providing for arrests by inspectors of weights and measures, and extending the provisions of the act to marking of the net quantity of the contents on packages sold by wholesalers, jobbers or commission merchants.

House Bill No. 291, entitled:

An Act to regulate deliveries of light fuel oil to domestic consumers; conferring powers and imposing duties on the Department of Internal Affairs, and the inspectors of weights and measures of the several counties and cities; and prescribing penalties.

House Bill No. 292, entitled:

An Act to repeal section eight of the act, approved the eleventh day of April, one thousand eight hundred fifty (P. L. 450), entitled "An act authorizing the appointment of an auctioneer or auctioneers in the borough of Easton; and relative to the claim of Samuel Rice, of Chester county; to incorporate the Art Union of Philadelphia; relative to short measure and weight in the sale of dry goods and groceries; and to the fees of the sheriff of Philadelphia county," eliminating the provision for recovery of loss and penalty by a purchaser in the sale of short weight of dry goods or groceries.

House Bill No. 293, entitled:

An Act to further amend clause (b) of section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by reducing the working week of Capitol Police to five days.

House Bill No. 300, entitled:

An Act to add sections ninety-nine point one, ninety-nine point two and ninety-nine point three to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing and regulating the formation of a State association by county treasurers and providing that certain expenses are to be paid by the counties.

House Bill No. 301, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the use of the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River.

House Bill No. 302, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn Delaware County to provide adequate school building facilities for wards of the Commonwealth.

House Bill No. 304, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans.

House Bill No. 308, entitled:

An Act to quiet title to real estate and to facilitate the alienation thereof, creating a presumption of payment, satisfaction or release and making unenforceable, all mortgages, judgments, dowers, recognizance, annuities, unpaid legacies, ground rents, liens, charges or encumbrances, decree or other obligation or instrument, and correcting defects in title and making claims thereunder invalid, by creating a presumption of release and extinguishment, where such liens, charges or encumbrances or defects of record arise, occur, exist, or are dated more

than thirty years prior to the time of the institution of any proceeding hereunder, to enforce payment, perfect, revive or continue the aforesaid lien, charge or encumbrance, or to correct or remedy a defect in title unless an action is instituted to enforce such lien, charge or encumbrance as aforesaid against the present owners or action is taken to perfect title to, or to correct or remedy defects therein, within one year after the effective date of this act.

House Bill No. 312, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," creating the State Board of Chiropractic Examiners and defining its powers and duties.

House Bill No. 320, entitled:

An Act to amend section one of the act, approved the third day of April, one thousand nine hundred twenty-nine (P. L. 127), entitled "An act fixing the fees of the recorder of deeds in counties of the third and fourth class," changing said fees.

House Bill No. 322, entitled:

An Act to amend section nineteen point one of the act, approved the eighth day of July, one thousand nine hundred forty-one, (P. L. 298), entitled "Fourth Class County Retirement Law" further regulating the admission to the retirement system of officers who heretofore failed to join.

House Bill No. 323, entitled:

An Act requiring that the name, address, political subdivision and office of elected officers and the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections, requiring secretaries of political subdivisions to report to said bureau the names of persons appointed to office, the name of the office and the name of the person succeeded.

House Bill No. 324, entitled:

An Act requiring the secretary or clerk of every political subdivision to file in the Bureau of Municipal Affairs, a copy of every tax-levying ordinance or resolution of such political subdivision.

House Bill No. 325, entitled:

An Act to amend section eight hundred two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," by further regulating the method of approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof.

House Bill No. 337, entitled:

An Act to amend section two thousand six hundred twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" by requiring the auditors in school districts of the second and third classes to publish annual financial statements; and providing penalties.

House Bill No. 338, entitled:

An Act to further amend section one hundred eighty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law", by authorizing the appointment of a solicitor for the sheriff in counties of the sixth class.

House Bill No. 340, entitled:

An Act to further amend the act, approved the fourteenth day of April, one thousand nine hundred five (P. L. 162), entitled "An act regulating the method and procedure in the erection of line or partition fences, by eliminating township and borough auditors and councils of cities of the third class as fence viewers and substituting the county surveyor of the county or an adjoining county as the fence viewer.

House Bill No. 346, entitled:

An Act to further amend sections four and ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "Liquid Fuels Tax Law" by increasing the amount of the additional tax and by extending the provisions of the additional tax for a limited time; and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth, with certain conditions.

House Bill No. 347, entitled:

An Act to reenact and further amend the title and the act, approved the fourteenth day of May, one thousand nine hundred forty-seven (P. L. 249), entitled as amended, "Soft Drink Tax Law" by further regulating the procedure and the jurisdiction of the Department of Revenue and of the Board of Finance and Revenue relative to claims for refunds, and by extending the provisions thereof for a limited period of time.

House Bill No. 348, entitled:

An Act to reenact and further amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended "Cigarette Tax Act" by exempting from its provisions certain sales of cigarettes to patients in Veterans' Administration Hospitals and dealers making such sales, making unlawful the possession of cigarettes upon which the tax has not been paid and providing penalties therefor, and extending the provisions of the act for a further limited period of time.

House Bill No. 349, entitled:

An Act to further amend section three of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled, as amended "Beverage Tax Law," increasing the rates of certain taxes for a further limited period of time.

House Bill No. 350, entitled:

An Act to reenact and further amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208) entitled as amended "Corporate Net Income Tax Act," extending the provisions of the act for a further limited period of time.

House Bill No. 351, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to the act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporation, joint-stock associations, limited partnerships and companies for a further limited period of time.

## House Bill No. 352, entitled:

An Act to further amend section twenty-three of the act approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

## House Bill No. 353, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session 1936, P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended, by extending the provisions thereof, for a further limited period of time.

## House Bill No. 355, entitled:

An Act to further amend section thirty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by further prescribing the pro rata payments to be made by cities of the third class, counties and school districts for certain salaries and expenses in connection with the collection of taxes by the city treasurer.

## House Bill No. 357, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by empowering counties to set apart lands and buildings and to acquire real estate by lease, purchase or gift, for use as fairgrounds; authorizing county commissioners of such counties to do all things necessary for the establishment and maintenance of county agricultural fairs and fairgrounds, including the appropriation of funds, the levy and collection of taxes and the creation of county fair boards and the acceptance of State contributions.

## House Bill No. 364, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

## House Bill No. 378, entitled:

An Act making an appropriation to The Academy of Natural Science of Philadelphia to be used for salaries, supplies and equipment in providing certain services to the public, and for the purpose of the maintenance of the building of said academy.

## House Bill No. 379, entitled:

An Act making a deficiency appropriation to the House of Representatives for the use of the minority whip.

## House Bill No. 381, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County, Pennsylvania.

## House Bill No. 383, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

## House Bill No. 394, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," as heretofore amended and reenacted, by changing the fiscal year and the dates for meetings, budgets, taxation, audits, and reports, changing the compensation of supervisors and auditors and the expense allowance of delegates, providing for appointment of non-resident persons as tax collectors and policemen, authorizing police pension annuities, empowering supervisors to acquire and operate airports, to establish police protection districts and assess the cost thereof, to widen, deepen and embank water-courses, to employ township managers and certified public accountants, changing the definition of volunteer firemen for workmen's compensation insurance purposes, the method of advertising for bids, the limitation on taxes for fire hydrant purposes, the requirements for street and road improvements, and the vote of supervisors required for zoning changes, and clarifying and revising certain provisions of said act.

## House Bill No. 395, entitled:

An Act authorizing the conveyance of the interest of either former spouse after a divorce to the other without the joinder of the other, of such former spouse's interest in real estate which is held by them as tenants by the entirety; and validating such conveyances formerly made.

## House Bill No. 399, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," authorizing the change of the fiscal year by districts of the second class.

## House Bill No. 410, entitled:

An Act to amend section four hundred forty-four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," reducing the minimum number of meetings to be held each year by the State Council for the Blind.

## House Bill No. 417, entitled:

An Act to amend section four hundred thirteen and to add section four hundred thirteen point one to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code" by further penalizing the furnishing of false or libelous statements or matter for publication or broadcast.

## House Bill No. 418, entitled:

An Act to add section four hundred eighteen to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code" by creating an additional crime of lottering and prowling at night.

## House Bill No. 422, entitled:

An Act to further amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation," appropriating additional funds from the Motor License Fund for the construction of said bridge.

## House Bill No. 425, entitled:

An Act to further amend sections two hundred two and two hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," to include the Unemployment Compensation Board of Review, Unemployment Compensation Referees, and the Pennsylvania Labor and Industry, and to delete the Industrial Board as an Advisory Board.

## House Bill No. 438, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by requiring such townships to establish police pension funds in certain cases; and permitting private police pension funds in such townships to elect to transfer their funds to township police pension funds.

## House Bill No. 442, entitled:

An Act making it lawful for the Board of Directors of any railroad company to elect a chairman of said Board, in such manner and with such powers and duties and compensation, including pensions, as may be fixed by said Board; making it lawful for the Board of Directors of any such company to select from among their number or from the stockholders, a president and one or more vice-presidents, in such manner, and with such powers and duties and compensation, including pensions, as may be fixed by said Board; making it lawful for the Board of Directors of any such company to provide for the number of Directors thereof, not less than three; and providing for the effectiveness of action taken by any such Board in accordance herewith, without further corporate action and notwithstanding any contrary or inconsistent provision in any previously enacted Act or in any existing charter or by-laws of any such company; and for other purposes.

## House Bill No. 445, entitled:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the city of Wilkes-Barre and the borough of Kingston both situate in Luzerne County.

## House Bill No. 448, entitled:

An Act relating to police pension funds in cities of the second class A and of the third class, boroughs, towns and townships; and directing such political subdivisions to appropriate monies thereto.

## House Bill No. 450, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," by further defining the scope of the act, and by authorizing nonprofit medical service corporations to provide services by doctors of osteopathy to subscribers.

## House Bill No. 451, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "Nonprofit Medical Service Corporation Act," by including in the plan "doctors of osteopathy" and further defining "medical services."

## House Bill No. 454, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts, county superintendents, assistant county superintendents, supervisors of special education and district superintendents, and repealing certain provisions of said act.

## House Bill No. 460, entitled:

An Act to reenact, amend and revise the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law."

## House Bill No. 461, entitled:

An Act to add subsection (c.1) to section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by authorizing insurance companies other than life and title to transact any or all of the kinds of insurance included in said section other than life, subject to certain conditions.

## House Bill No. 478, entitled:

An Act to further amend section one thousand four hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code" by permitting courts of common pleas, in certain cases, to direct compromise settlements of state taxes due, on certain land, title to which is in a local taxing authority.

## House Bill No. 480, entitled:

An Act to amend section one of the act, approved the twenty-first day of June, one thousand nine hundred forty-seven (P. L. 765), entitled "An act fixing the fees of the recorder of deeds in counties of the sixth, seventh, and eighth class," by clarifying the provisions relating to the payment by the county commissioners of certain fees for services rendered by the recorder of deeds.

## House Bill No. 483, entitled:

An Act to further amend subsections six, seven, twenty, and twenty-three of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "Public Utility Law," by exempting from the provisions thereof, transportation of any injured, ill or dead person furnished by a licensed undertaker.

## House Bill No. 484, entitled:

An Act authorizing the Secretary of Property and Supplies, with the approval of the Governor, and the Board of Trustees of the Warren State Hospital, to sell and convey a certain tract of land in the township of Coewango, County of Warren, Pennsylvania, but reserving therefrom an existing easement of right-of-way and of ingress and egress for continuance of such easement, and repealing existing legislation.

## House Bill No. 486, entitled:

An Act to further amend section seven hundred nineteen of the act, approved the third day of June, one thou-

sand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by changing the dog training period.

House Bill No. 487, entitled:

An Act to repeal subsection (v) of section one thousand four hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by eliminating the special fund for game lands.

House Bill No. 493, entitled:

An Act to amend section two thousand one hundred four of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further providing for compensation for attendance at meetings of teachers.

House Bill No. 502, entitled:

An Act to establish within the Department of Health of the Commonwealth of Pennsylvania a public laboratory to render pathological and toxicological service to the coroners in the various counties and to the Department of Health in certain outbreaks of sickness.

House Bill No. 508, entitled:

An Act to amend section one thousand four hundred twenty-five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "Public School Code," by providing for permissive rather than required enumeration of children of school age in school districts of the first class.

House Bill No. 509, entitled:

An Act to amend subsection (a) of section five hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "Public School Code," by increasing the ratio of teachers to pupils in computing the real estate tax for school purposes in school districts of the first class.

House Bill No. 516, entitled:

An Act transferring money from the Banking Fund to the General Fund.

House Bill No. 517, entitled:

An Act to further amend clause (3) of section thirteen of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "Policemen's Relief and Pension Fund Law," by canceling age requirement and changing length of service necessary to receive a pension.

House Bill No. 518, entitled:

An Act to further amend subsection (a) of section three hundred four, sections three hundred eight point one, and three hundred nine, and to add section three hundred nine point two to the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "Unemployment Compensation Law," by further regulating assessment of contributions by employers failing to file a report; further limiting the filing of liens; further regulating the collection of contributions, interest and penalties from employers; prescribing limitations upon enforcement of payments by employers of contributions, interest and penalties.

House Bill No. 519, entitled:

An Act to further amend section nine of the act, approved the thirty-first day of March, one thousand eight hundred sixty (P. L. 427), entitled "Criminal Procedure Act of 1860," by providing for the entry of noile prosequi in certain fraudulent conversion cases.

House Bill No. 523, entitled:

An Act to amend section eleven of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1410), entitled "An act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith" by providing for the monthly payment of the compensation of certain judges

House Bill No. 525, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

House Bill No. 527, entitled:

An Act to amend section one thousand two hundred six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" by further providing for leaves of absence for illness upon the creation of a joint school or department, or merged or union school district.

House Bill No. 528, entitled:

An Act to further amend clause nine of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees' Retirement Law," by further defining "original member" in relation to members of General Assembly.

House Bill No. 532, entitled:

An Act to amend sections one thousand two hundred two and one thousand two hundred six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by providing for reimbursement by the Pennsylvania Game Commission to counties for maintenance of prisoners in certain cases and for the payment of costs in certain enforcement proceedings.

House Bill No. 533, entitled:

An Act to add section two hundred seventy-eight point one to the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by providing in certain cases for the payment of costs in enforcement proceedings by the Board of Fish Commissioners and reimbursed to counties for maintenance of prisoners.

House Bill No. 535, entitled:

An Act defining and prohibiting unfair sales of cigarettes; conferring powers and imposing duties on the Department of Revenue and on persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; providing for the suspension and revocation of Cigarette Tax Permits; and providing remedies and penalties for violations.

House Bill No. 536, entitled:

An Act to add section one thousand two hundred fifty-one point one to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by providing for annual payments by the Commonwealth to school districts erecting or sharing in the erection of a building or buildings or providing educational facilities under provisions of the State Public School Building Authority Act.

## House Bill No. 537, entitled:

An Act to further amend section sixteen of the act, approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 758), entitled "Narcotic Law," by authorizing the Secretary of Health to make necessary rules and regulations for the proper enforcement of this act.

## House Bill No. 538, entitled:

An Act to amend section ninety-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by further providing for the payment of expenses of prothonotaries and clerks of court attending meetings of the state association; and providing for the payment of dues of such associations by counties.

## House Bill No. 543, entitled:

An Act to amend sections one thousand fifteen, one thousand seven hundred five, one thousand eight hundred eleven and one thousand nine hundred two of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by regulating the publication of ordinance and the letting of contracts; eliminating publication of the controller's financial report; and regulating the making and publication of an annual report and financial statement by the director of accounts and finance after approval thereof by the controller.

## House Bill No. 549, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of roads or sections of road from the State Highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

## House Bill No. 550, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "Borough Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

## House Bill No. 551, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

## House Bill No. 552, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "City State Highway Law," by changing or deleting certain routes and adding certain new routes.

## House Bill No. 553, entitled:

An Act to amend subsection B of section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "Banking Code," by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

## House Bill No. 554, entitled:

An Act to further amend sections one thousand six and one thousand seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624), entitled "Banking Code," by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business.

## House Bill No. 556, entitled:

An Act relating to property owned by cities of the second Class A; authorizing special funds for its maintenance; and authorizing council to insure against liability arising out of the ownership or control of such property.

## House Bill No. 557, entitled:

An Act providing for the compensation of the mayor, council and appointed officers in cities of the second class A.

## House Bill No. 565, entitled:

An Act to promote the welfare of the people of the Commonwealth; creating The General State Authority as a body corporate and politic with power to construct, improve, equip, furnish and operate projects, and to lease the same, and fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act.

## House Bill No. 566, entitled:

An Act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall or any of its political subdivisions be incurred in the exercise of any of the powers granted by this act and making an appropriation.

## House Bill No. 567, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation, protection and development of certain buildings at Ephrata Cloisters, an important historical shrine belonging to the Commonwealth.

## House Bill No. 572, entitled:

An Act to further amend clause (3) of subsection (b) of section one thousand two hundred five of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by providing for the establishment of a filing system for rating cards in office of the county superintendent by boards of school directors in districts under his supervision.

## House Bill No. 577, entitled:

An Act to further amend sections one hundred one, one hundred sixteen and two hundred ten of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by requiring approval of State Council of Education and county board of school directors before creation or affecting boundaries of third and fourth class districts.

## House Bill No. 588, entitled:

An Act to reenact and further amend the title of and the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties," by extending the provisions of said act to include counties of the sixth, seventh and eighth class.

## House Bill No. 598, entitled:

An Act to amend section ten of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" by changing the fee for filing conditional sales contracts in the office of the prothonotary

## House Bill No. 602, entitled:

An Act making a deficiency appropriation from the General Fund to the Department of Labor and Industry for use by the State Board of Vocational Rehabilitation.

## House Bill No. 604, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by exempting motor vehicles of war amputees obtained through Veterans' Administration from the payment of registration fees.

## House Bill No. 613, entitled:

An Act making a deficiency appropriation to the Department of Military Affairs for use by the Soldiers' and Sailors' Home at Erie, Pennsylvania.

## House Bill No. 614, entitled:

An Act to further amend section nine of the act approved the seventh day of June, one thousand nine hundred seventeen (P. L. 363), entitled "Orphans' Court Act of 1917," by extending the jurisdiction of orphans' courts to the determination of the custody of minors in certain cases.

## House Bill No. 616, entitled:

An Act to amend section three of the act, approved the tenth day of June, one thousand nine hundred forty-seven (P. L. 529), entitled "Factor's Lien Act," changing the fee for filing notice of liens in the office of the prothonotary.

## House Bill No. 623, entitled:

An Act to repeal the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 599) entitled "An act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia Commonwealth of Pennsylvania to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by The United Nations and ceding jurisdiction to the United States".

## House Bill No. 624, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .4135 acres more or less situate in the Township of Franklin County of Greene formerly used by the Department of Highways of the Commonwealth.

## House Bill No. 625, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by increasing the total maximum length of certain vehicles.

## House Bill No. 628, entitled:

An Act to amend section four hundred seventeen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "The Game Law," by excluding from the definition "roadside menagerie" any animal exhibition at a county fair or any such exhibition when sponsored by any sportsmen's organization with the approval of the Pennsylvania Game Commission.

## House Bill No. 629, entitled:

An Act to further amend sections one thousand one hundred one and one thousand one hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by providing for petition to quarter sessions court when township supervisors fail or refuse to act upon petition of property owners to survey, lay out, open, widen, straighten, vacate or relay township roads.

## House Bill No. 630, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance law for the two fiscal years beginning June first one thousand nine hundred forty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-seven

## House Bill No. 631, entitled:

An Act to further amend the act, approved the first day of May one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing, adding and deleting certain definitions; changing certain fees; eliminating from the act the requirements and provisions pertaining to engine numbers on engines of motor vehicles, trailers and semi-trailers; further regulating the registration, titling, equipment, license plates and size of certain vehicles and the licensing of operators; and prescribing additional enforcement and penal provisions.

## House Bill No. 646, entitled:

An Act to amend section seventy-eight of the act, approved the second day of May, one thousand nine hun-

dred twenty-nine (P. L. 1278), entitled "General County Law," increasing amount payable by counties for defraying expenses of controller's association's annual meeting.

House Bill No. 651, entitled:

An Act ascertaining and appointing the fees to be received by the prothonotaries of the courts of common pleas of the Commonwealth in counties of the first class; and providing for the time of paying the same.

House Bill No. 656, entitled:

An Act to further amend subsection (b) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," as amended, by changing the total maximum height of vehicles and loads.

House Bill No. 657, entitled:

An Act to further amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred ninety-five (P. L. 408), entitled, as amended, "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities, towns, townships and boroughs, within this Commonwealth," by providing for the payment by the State Treasurer of one-half of the tax on premiums paid by domestic fire insurance companies to the treasurers of the several cities, towns, townships, and boroughs within this Commonwealth.

House Bill No. 665, entitled:

An Act to further amend subsection (c) of section one thousand four hundred six and section one thousand four hundred eighteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by requiring the furnishing of free transportation or board and lodging in certain boroughs and reimbursement by the Commonwealth thereof; and validating Commonwealth reimbursements heretofore made.

House Bill No. 667, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell the tracts of land with the improvements thereon occupied by the former Pennsylvania Maritime Academy in Bucks County and providing for the disposition of the proceeds of such sale.

House Bill No. 668, entitled:

An Act to amend sections two and three of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," by authorizing direct purchases in certain cases.

House Bill No. 670, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for study and research, including archaeological excavations, pertaining to the activities and glass works of the famous Pennsylvania ironmaster, glassmaker and townbuilder (Henry William) Baron von Stiegel.

House Bill No. 671, entitled:

An Act to further amend the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 585) entitled "An act prohibiting the use of the designation of 'college' by any institution not conforming to the standards of a college prescribed by the State Council of Education and providing for injunctions and penalties" extending the provisions of the act to the use of the word "university"

House Bill No. 674, entitled:

A Further Supplement to the act, approved the first day of April, one thousand eight hundred sixty-three (P. L. 213), entitled "An act to accept the grant of public lands by the United States to the several states for the endowment of Agricultural Colleges," by authorizing the Attorney General of the Commonwealth of Pennsylvania to issue to the prothonotaries of the courts of common pleas in the State of Pennsylvania his praecipe for the satisfaction of liens entered on the real estate of the land grant college of Pennsylvania under the provisions of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 736), and prescribing procedure therefor.

House Bill No. 675, entitled:

An Act authorizing the Interstate Commission on the Delaware River Basin to make surveys and investigations to determine and report on the feasibility and advisability of the future construction of an integrated water project designed to meet the combined prospective water supply requirements of political subdivisions and metropolitan areas in the Commonwealth of Pennsylvania and the States of New York and New Jersey, within and outside of said Basin, empowering such Commission to enter upon lands, structures and waters, fixing the responsibility for damages resulting therefrom, and making an appropriation to such Commission.

House Bill No. 680, entitled:

An act to reenact and further amend the act, approved the twelfth day of May, one thousand nine hundred thirty-nine (P. L. 133), entitled "An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health."

House Bill No. 692, entitled:

An Act to amend the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 736), entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions, for the use of the Commonwealth, and providing for the collection thereof," by exempting therefrom appropriations made to land grant colleges of Pennsylvania.

House Bill No. 696, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

House Bill No. 701, entitled:

An Act to further amend section one thousand one hundred three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by authorizing the State Council of Education to fix qualifications of assistant county superintendents.

House Bill No. 703, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal

claims not filed within the time specified by law; and to amend such claims when the property affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims; and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

**House Bill No. 706, entitled:**

An Act making an appropriation to the trustees of the Pennsylvania State College for the improvement of the Livestock industry of Pennsylvania; and providing for and appropriating a revolving fund for such purposes.

**House Bill No. 708, entitled:**

An Act to further amend section two hundred fifty-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by providing for the appointment by the District Attorney of any county of the sixth class having no assistant district attorney, with the approval of the salary board of a special assistant attorney to aid in murder cases.

**House Bill No. 709, entitled:**

An Act to further amend section eight hundred fourteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by authorizing county boards of school directors to provide, administer and supervise special services and superintendents; and authorizing contracts with school districts not under the jurisdiction of a county superintendent.

**House Bill No. 723, entitled:**

An Act making it a misdemeanor to install or permit or procure the installation of any pipe appliance or fixture for the use of water in any building without securing a permit from the water company or municipality or municipal authority supplying such water or to by-pass any meter or registering device or in any other manner to secure the introduction or use of water with intent to evade payment of the charges made therefor and providing penalties therefor

**House Bill No. 731, entitled:**

An Act to further amend section one thousand one hundred twenty-six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by providing for the employment of full-time supervisors of special education by certain counties and for payment of salaries of such supervisors.

**House Bill No. 733, entitled:**

An Act to validate certain acknowledgments and to regulate the effect thereof.

**House Bill No. 736, entitled:**

An Act validating certain sales of and deeds to real property made by county commissioners in good faith under a mistake of law.

**House Bill No. 738, entitled:**

An Act to further amend section five of the act approved the nineteenth day of February one thousand

nine hundred twenty-six (P. L. 16) entitled as amended "An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailee for hire and transportation for hire of any alcoholic liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by exempting scheduled common carriers by air of mail and passengers from license requirement.

**House Bill No. 742, entitled:**

An Act to add section four point one to and to further amend section eleven of the act approved the twenties day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing in certain cases for lesser pensions at the employee's or former employes option after fifteen but less than twenty years of service and contribution and defining "year of service" in certain cases

**House Bill No. 743, entitled:**

An Act making an appropriation to the Local Government Commission to continue its work.

**House Bill No. 753, entitled:**

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-five (P. L. 244), entitled "Local Government Commission Law," by further regulating the terms of the members of said commission.

**House Bill No. 762, entitled:**

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds.

**House Bill No. 764, entitled:**

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code" by further providing for the compensation of certain election officials in counties of the first class; and changing the requirements for delivery of voting machine keys; for the preparation of duplicate return sheets in certain cases; for the payment of certain campaign expenses; for the filing of expense accounts and the delivery of blanks therefor.

**House Bill No. 776, entitled:**

An Act to further amend sections four and fourteen of the act, approved the thirteenth day of May, one thousand nine hundred fifteen (P. L. 286), entitled "Child Labor Law," by deleting the wartime provisions which increased the working hours of minors between the ages of sixteen and eighteen, and which permitted examinations of physical fitness to be made by any licensed physician.

House Bill No. 779, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

House Bill No. 780, entitled:

An Act to further amend sections seven and eighteen of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "Female Labor Laws" by deleting the wartime provisions increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provision.

House Bill No. 786, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," as last amended by further regulating the cost price per copy of publications for distribution to the public.

House Bill No. 790, entitled:

An Act to repeal the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicle operators licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same" and its amendments

House Bill No. 792, entitled:

An Act to amend section three of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" by authorizing the Secretary of Health to make necessary rules and regulations for the enforcement of this act.

House Bill No. 793, entitled:

An Act to further amend section two hundred sixty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by authorizing the catching and taking of terrapin on Sunday

House Bill No. 795, entitled:

An Act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and

also generally dealing with the jurisdiction powers and procedure of the orphans court and of the register of wills in all matters relating to fiduciaries

House Bill No. 798, entitled:

An Act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries.

House Bill No. 805, entitled:

An Act authorizing and empowering the Delaware River Joint Toll Bridge Commission for the effectuation of its authorized purposes to enter upon use overpass occupy enlarge construct improve or close any easement street road or highway located within the limits of any municipality in Pennsylvania or to use occupy or take property now or hereafter vested in or held by any municipality in Pennsylvania without requiring the consent of the municipality or the governing body thereof prescribing conditions for the exercise of such powers by the Commission and conferring jurisdiction on certain courts of common pleas

House Bill No. 809, entitled:

An Act to amend section one of the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing and possession of explosives; requiring permits for magazines and prescribing permit fees; and providing penalties," by exempting from the provisions of said act explosives stored and used in connection with coal mines and coal mining operations.

House Bill No. 814, entitled:

An Act fixing the fees and mileage of the coroner in counties of the sixth class.

House Bill No. 828, entitled:

An Act to further amend section one hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Laws of 1925," by changing the method of computing payments in lieu of devices at dams to enable fish to migrate; and increasing the amount of maximum payments.

House Bill No. 835, entitled:

An Act limiting the forfeiture confiscation seizure or taking of certain motor vehicles used in violation of law

House Bill No. 839, entitled:

An Act to amend section twelve of the act approved the fourth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1265), entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the third class; and imposing certain charges on counties," by providing for the right to designate beneficiaries after the time of retirement.

House Bill No. 853, entitled:

An Act to further amend section five of the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," by further regulating the taking of examinations for registration.

## House Bill No. 858, entitled:

An Act to amend section thirty-four, subsection (1) of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "Uniform Vital Statistics Act," by extending penalties already provided to unlawful disclosures of information contained in vital statistical records.

## House Bill No. 861, entitled:

An Act to amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary merchantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employes and imposing penalties" by continuing the mercantile license and tax for the year one thousand nine hundred and fifty and succeeding years in school districts of the first class.

## House Bill No. 862, entitled:

An Act to amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 733), entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property; providing for its levy and collection; conferring and imposing powers and duties on the county assessing authority, board of revision of taxes, receiver of school taxes, county treasurer, board of public education in such districts and courts; providing for compensation to certain officers, and employes and imposing penalties" by continuing the provisions of the act for 1950 and succeeding years, and by imposing certain duties on school treasurers, in certain school districts of the first class, and relieving county treasurers of certain duties under this act.

## House Bill No. 865, entitled:

An Act making an appropriation to the Department of Property and Supplies for the cost of acquisition of a tract of land in Dauphin County formerly the property of the United States Government.

## House Bill No. 869, entitled:

An Act to further amend section three hundred twenty-five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "General County Law," by permitting certain county employes of county correctional institutions to be credited for previous service.

## House Bill No. 871, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," providing for additional examinations for school bus operators; and further regulating safety requirements for school buses and the meeting or overtaking of school buses while taking on or discharging school children.

## House Bill No. 872, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one

(P. L. 1379), entitled "Third Class County Board Assessment Law," by providing for annual assessments; abolishing triennial assessments; providing for fixing of salaries of subordinate assessors; limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made; and making assessments applicable to taxation for institution district purposes.

## House Bill No. 874, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," further regulating resettlements; and further providing for liens of taxes, bonus penalties and other accounts and interest.

## House Bill No. 879, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "Administrative Agency Law," by redefining "regulation"; changing provisions governing promulgation of regulations; imposing duties on the Department of State; extending the grounds for refusing to affirm adjudications of agencies; requiring all appeals to be taken to the Superior Court; and enumerating the agencies affected and the extent to which they are effected.

## House Bill No. 882, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by eliminating from the act the requirements and provisions pertaining to the use of engine numbers on the engines of motor vehicles for identification purposes.

## House Bill No. 883, entitled:

An Act validating special primary municipal and general elections when errors or omissions have been made in the preliminary requirements therefor or the conduct thereof Provided no action contest or suit has been instituted within one year from the date of any such election or other proceeding involving fraud or error instituted or pending.

## House Bill No. 886, entitled:

An Act to amend section five of the act, approved the twenty-first day of June, one thousand nine hundred thirty-seven (P. L. 1944), entitled as amended "An act providing for the erection, construction and equipment of a new Pennsylvania Industrial School, to take the place of the present Pennsylvania Industrial School at Huntingdon; designating the manner of acquiring or setting aside of land for the erection and construction of the new school by The General State Authority; authorizing the Commonwealth to lease the new school and its grounds from The General State Authority upon its completion; providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon; creating the Board of Trustees of the Pennsylvania Industrial School; defining its powers and duties, and conferring powers, and imposing duties upon certain State departments, boards, commissions, and officers," by further prescribing the length of term a person can be imprisoned in said institution.

## House Bill No. 895, entitled:

An Act to further amend the act, approved the twenty-

second day of May, one thousand nine hundred forty-five (P. L. 837), entitled, as amended, "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," by giving additional preferences to certain disabled soldiers and their wives.

**House Bill No. 897, entitled:**

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the World War II Veterans' Compensation Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer and the Board of Finance and Revenue, in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

**House Bill No. 898, entitled:**

An Act to further amend subsection of section six hundred two of the act, approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34), entitled, as amended, "Pennsylvania Liquor Control Act" by exempting television exhibitions from provisions of the act requiring special permits.

**House Bill No. 900, entitled:**

An Act to further amend section one thousand two hundred seven of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code" by clarifying provisions for payment of compensation of constables and their deputies.

**House Bill No. 901, entitled:**

An Act to repeal the act approved the twenty-sixth day of May, one thousand eight hundred ninety-seven (P. L. 106), entitled "An act prohibiting the discharge from public positions of Union soldiers without a reasonable cause, and prohibiting the abolishment of or changing the emoluments of public offices occupied by Union Soldiers except for good reason."

**House Bill No. 902, entitled:**

An Act to amend sections one and two of the act, approved the sixteenth day of May, one thousand nine hundred twenty-one (P. L. 579) entitled "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating, in such counties a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe keeping, discipline, and employment of prisoners and the government and management of said jails or county prisons," by changing membership of the board of inspectors and provisions relating to fixing salaries of warden, deputies, assistants and keepers.

**House Bill No. 903, entitled:**

An Act to repeal section twenty-eight of the act approved the fifth day of April one thousand seven hundred ninety (2 Sm. L. 531) entitled "An act to reform the penal laws of this state" relating to obsolete provisions for the

custody and treatment of convicts in county jails and workhouses and to the appointment of keepers by sheriffs

**House Bill No. 904, entitled:**

An Act to repeal section eleven of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 833) entitled "An act establishing under the Department of Labor and Industry a system of regulation of employers seeking employes and of persons seeking employment and prescribing as incidental thereto certain duties of employers and of county municipal township and school authorities and of agencies procuring employes for others and prescribing penalties

**House Bill No. 905, entitled:**

An Act repealing certain acts and parts of acts relating to taxation.

**House Bill No. 906, entitled:**

An Act to repeal the act approved the eighteenth day of May one thousand nine hundred thirty-three (P. L. 815) entitled "An act to require county commissioners poor boards public officers trustees and others having jurisdiction of funds available for poor or unemployment relief or to tax or borrow for such purposes to furnish information and exhibit their records to the State Emergency Relief Board and providing penalties"

**House Bill No. 907, entitled:**

An Act repealing certain acts and parts of acts relating to counties.

**House Bill No. 908, entitled:**

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law" declaring a vacancy in the office of county commissioner and auditor in case of failure to qualify or if no successor is elected; regulating letting of contracts in counties having county auditors; and providing for fixing salaries of employes of workhouses.

**House Bill No. 909, entitled:**

An Act to amend section two of the act approved the seventeenth day of March, one thousand nine hundred thirty-three (P. L. 14), entitled "An act fixing the salary of sheriffs in counties of the seventh class; providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail; providing for deputies and their compensation; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and prescribing penalties," empowering salary board to fix the number of deputies and their salaries.

**House Bill No. 911, entitled:**

An Act to further amend section six of the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," by providing additional grounds for revocation of registration.

**House Bill No. 912, entitled:**

An Act relating to and regulating the business of dry cleaning and dying as herein defined; granting authority to and imposing duties upon the Department of Labor and Industry; requiring approval by said Department of certain plans for dry cleaning and dyeing plants and the machinery, equipment and systems used therein; prescribing filing fees for applications for said approval; providing for certain administrative and judicial review of the orders

and decisions of said Department; conferring authority upon certain employes of political subdivisions and representatives of the Pennsylvania State Police; providing penalties for violations of the provisions of this Act or the regulations adopted thereunder; and repealing certain acts

**House Bill No. 925, entitled:**

An Act to amend subsection (a) of section nine hundred thirty-eight of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by increasing the number of permits for special dog training areas throughout the Commonwealth.

**House Bill No. 926, entitled:**

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by regulating service for pensions, and eligibility for pensions.

**House Bill No. 931, entitled:**

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for purchasing, preserving, repairing and exhibiting Pennsylvania material.

**House Bill No. 932, entitled:**

An Act to further amend section thirty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by providing that salaries of tax collectors, their deputies, clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes, and requiring certain payments by the taxing districts.

**House Bill No. 933, entitled:**

An Act to amend the Table of Contents and to further amend article fourteen by adding at the end thereof a new section one thousand four hundred and twenty-three to the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "Banking Code," by providing for the voluntary liquidation and dissolution of banks, bank and trust companies, and trust companies and repealing certain acts and parts of acts.

**House Bill No. 943, entitled:**

An Act relating to the propagation of nut trees and other trees bearing crops, excluding fruit trees in this Commonwealth; providing for the appointment, qualifications, term and compensation of an Expert Tree Crops Advisor; prescribing his powers and duties; imposing and conferring certain powers and duties on the Secretary of Agriculture in respect thereto, and making an appropriation.

**House Bill No. 946, entitled:**

An Act to amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 759), entitled "An act providing for the acquisition and maintenance by the Department of Forests and Waters, with the advice of the Bushy Run Battlefield and adjacent lands as a public historical park, and for the erection of a monument or memorial therein; authorizing the department to accept gifts for exhibition in, and funds or secur-

ities to be invested for the benefit of said park; imposing duties upon the Governor, the Auditor General and the State Treasurer in connection with such funds or securities; and making an appropriation," by authorizing the Bushy Run Battlefield Commission to accept gifts or bequests; authorizing the commission to adopt and execute plans for the improvement, preservation and maintenance of the park; authorizing the commission to enter into agreements respecting highways, railways, railroads, and other means of travel within the park, and to regulate the travel and traffic over said park and police the same; authorizing use of the park as a camping ground for the National Guard of Pennsylvania; and permitting the erection of monuments or other memorials on the park grounds.

**House Bill No. 949, entitled:**

An Act to repeal the act approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 535), entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments, and prescribing the procedure therefor," in so far as it relates to counties of the second class and cities, boroughs, townships, and school districts, situate in such counties.

**House Bill No. 966, entitled:**

An Act authorizing the Department of Property and Supplies with the approval of the Governor to purchase a certain property within the area of the eastern approach to the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg; providing for the development of the said property and making an appropriation.

**House Bill No. 980, entitled:**

An Act to amend sections two and thirteen of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within the Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties," by changing license fee provisions; providing for payment of fees and fines to the various municipalities; and empowering burgesses to try violators.

**House Bill No. 982, entitled:**

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by eliminating the Board of Fish Commissioners, creating and extending the provisions of the Code to its successor the Pennsylvania Fish Commission, and further prescribing its powers and duties.

**House Bill No. 986, entitled:**

An Act to amend sections three hundred two, three hundred three, three hundred eleven and one thousand four hundred one, of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by increasing license fees and agents' compensation and providing for the use of the amount resulting from such increased license fees for the restoration of game, food and cover areas.

**House Bill No. 987, entitled:**

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752) entitled "Civil Service Act," by granting certain preferences to soldiers in examinations, selection and appointment of eligibles and furloughs.

## House Bill No. 991, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 735) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" by defining skim milk and providing for methods of standardization of milk.

## House Bill No. 992, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by making the Bushy Run Battlefield Commission a departmental administrative commission in the Department of Forest and Waters.

## House Bill No. 1001, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district

## House Bill No. 1004, entitled:

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Fairview Township York County Pennsylvania necessary for the development of the Harrisburg Airport.

## House Bill No. 1005, entitled:

An Act to amend section sixteen of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050) entitled "Local Tax Collection Law" by authorizing the boards of school directors to add names to the tax assessment lists, and tax duplicates.

## House Bill No. 1010, entitled:

An Act to further amend section nine of the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "Fourth Class County Retirement Law" by allowing credit for prior service in certain cases.

## House Bill No. 1014, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled as amended "Barbers License Laws" by further regulating the practice and teaching of barbering, the annual renewal of certificates and the eligibility requirements for examinations.

## House Bill No. 1016, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code" changing the definition of "tractor" and adding the definition "farm tractor"; and further providing for the classification of and the annual registration fees for tractors.

## House Bill No. 1018, entitled:

An Act to further amend section one of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 607), entitled "An act authorizing administrative boards within the Department of Public Instruction, for the duration of the present War, to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one, but not less than twenty years of age," further regulating the professional examination, licensure or registration of persons who are less than twenty-one, but over twenty years of age.

## House Bill No. 1022, entitled:

An Act to amend clause (d) of section five hundred one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by changing the antlerless deer abrogation petitions.

## House Bill No. 1025, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "Public School Code," by further providing for salaries for teachers of applied art and vocational subjects.

## House Bill No. 1031, entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and possessing with intent to sell, of adulterated or deleterious ice cream, french ice cream, french custard, frozen custard, frozen ice confections, frozen sherbet confections, sherbet, ice, and fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, including sherbet, frozen ice confections, frozen sherbet confections, frozen dairy confections, ice, and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream; providing for licensing, conferring powers and imposing duties upon the Department of Agriculture, prescribing penalties; and providing for the enforcement thereof.

## House Bill No. 1040, entitled:

An Act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut-off the supply of water for nonpayment of sewer sewage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith.

## House Bill No. 1041, entitled:

An Act to amend sections four and eight of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law" by authorizing the assignment by municipal authorities of their municipal claims and liens to and the purchase thereof by cities boroughs and townships in which the property subject to such municipal claims or liens is located.

## House Bill No. 1043, entitled:

An Act to amend section four thousand two hundred five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law" by authorizing cities of the third class to appropriate money for the support and maintenance of airdromes or aviation fields situate without the counties in which such cities are located.

## House Bill No. 1044, entitled:

An Act to amend the title of and the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 629) entitled "An act relating to the filing and revival of liens for taxes and water rates in the office of the prothonotary of common pleas court on real estate within the territorial limits of cities of the second class prescribing duties and fees of prothonotaries

establishing the office of solicitor for delinquent tax and water rate liens defining the powers and duties of said office providing for enforced collection of said taxes and water rates imposing duties upon cities of the second class and school districts within the territorial limits of cities of the second class" by extending the powers and duties of the solicitor and of the office of the solicitor to include the filing and revival of liens for delinquent sewer rates and for all other municipal claims and charges.

#### House Bill No. 1045, entitled:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon" by extending to counties the powers granted therein clarifying and extending the provisions hereof with respect to the purposes for which and the circumstances under which rentals rates or charges may be imposed and the proceeds thereof used empowering counties cities boroughs incorporated towns and townships to contract with authorities for sewer sewage and sewage treatment services to grant convey lease transfer encumber mortgages and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made.

#### House Bill No. 1046, entitled:

An Act to amend the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 1110), entitled "Motor Vehicle Sales Finance Act" by further prescribing the form and contents of contracts used in connection with such sales and the financing hereof by further regulating the refund for prepayment of instruments used in connection with such installment sales by further regulating reposessions, redemptions, sales and deficiency judgments and the rights of parties with respect thereto.

#### House Bill No. 1047, entitled:

An Act providing for the enforcement of foreign judgments by the registration thereof in the courts of this Commonwealth, prescribing procedure for the obtaining of jurisdiction over the judgment debtor, the raising of defenses thereto, appeals therefrom, and execution thereon and saving existing methods of enforcing the same.

#### House Bill No. 1048, entitled:

An Act to further amend clauses (a), (b), (c), and (f) of section three hundred six, and sections three hundred even and three hundred nine of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "Workmen's Compensation Act of 1915" by changing the maximum and minimum rates and the total amounts and aggregate of compensation.

#### House Bill No. 1049, entitled:

An Act to further amend section four hundred four of the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "Unemployment Compensation Law" by increasing benefits.

#### House Bill No. 1050, entitled:

An Act to amend article thirteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929" by authorizing the cancellation of any certificate, license, permit or registration obtained through fraud or misrepresentation.

#### House Bill No. 1051, entitled:

An Act relating to and regulating the slaughtering of equine animals for animal feeding purposes and to protect the public health and the health of domestic animals and wild animals held in captivity providing for the licensing of such establishments and the cancellation of licenses; defining the powers and duties of the Department of Agriculture and providing penalties.

#### House Bill No. 1052, entitled:

An Act merging and consolidating State housing with State; merging the State Board of Housing with the State Planning Board; establishing a State Planning Code and repealing certain acts.

#### House Bill No. 1053, entitled:

An Act to amend the title and further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled "Housing Authorities Law" by extending the act to all cities; changing the scope of the field of operation of a county authority; providing for the use of State grants or contributions towards payment of bonds and interest and as additional pledge therefor; and transferring the administration of the act from the State Board of Housing to the State Planning Board.

#### House Bill No. 1054, entitled:

An Act to amend the act, approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991), entitled "Urban Redevelopment Law" by substituting the State Planning Board for the State Board of Housing.

#### House Bill No. 1055, entitled:

An Act providing and regulating State assistance for housing for persons of limited income, and making an appropriation.

#### House Bill No. 1056, entitled:

An Act to amend the title and sections three, fourteen and twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 704), entitled "Limited Dividend Housing Company Law" by transferring supervision and regulation of such companies to the State Planning Board.

#### House Bill No. 1057, entitled:

An Act to amend sections three and four of the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-seven (P. L. 888), entitled "Housing Cooperation Law" by removing any ambiguity as to the powers of a State public body with respect to long term agreements, and changing definition of term "Housing Project."

#### House Bill No. 1058, entitled:

An Act to amend sections four and six of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 982), entitled "Redevelopment Cooperation Law" by removing any ambiguity as to the powers of a State public body with respect to long term agreement and permitting State public bodies to issue bonds to provide funds for local contributions required by Federal law.

## House Bill No. 1059, entitled:

An Act to further amend section four hundred fifty-one and to amend section two thousand five hundred two B, of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by reconstituting the State Planning Board; and changing its functions.

## House Bill No. 1060, entitled:

An Act to further amend clause (a) of section three hundred one, clauses (a), (c) and (f) of section three hundred six, and section three hundred seven, and to amend section three hundred nine of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "The Pennsylvania Occupational Disease Act," by changing the maximum and minimum rates and total amounts and aggregate of compensation.

## House Bill No. 1061, entitled:

An Act providing for the payment of salary, wages medical and hospital expenses of employes of a jail, prison, workhouse, penitentiary, penal reformatory or correctional institution, hospitals for the insane, or any institution for the feeble minded or epileptic persons, for inebriates or for juvenile delinquent and dependents, maintained in whole or in part by the Commonwealth or any county within the Commonwealth, who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period, and also providing for recourse to pension privileges in the event of permanent disability.

## House Bill No. 1062, entitled:

An Act to further amend section two thousand seven hundred eighteen of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act" by authorizing boroughs to make appropriations from the general borough funds for recreation purposes.

## House Bill No. 1068, entitled:

An Act to further amend section six hundred twenty-seven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by authorizing the leasing of school buildings or athletic fields for charitable purposes.

## House Bill No. 1069, entitled:

An Act to provide for the creation within the Department of Public Instruction of a Division of Radio and Audio-Visual Education establishing within such Division a lending and exchange library of records transcripts, scripts, films, slides, projectors and other necessary equipment and material; imposing certain duties upon the Superintendent and Department of Public Instruction; and making an appropriation.

## House Bill No. 1070, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 947), entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class," by correcting an error in the salary of the coroner.

## House Bill No. 1073, entitled:

An Act to amend subsection five of section seven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law" by providing for determining the amount earnable by members of the General Assembly.

## House Bill No. 1075, entitled:

An Act to further amend subsection (2) of section eleven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law," by further regulating the rights of contributors who have separated from and return to the employ of the Commonwealth.

## House Bill No. 1077, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Allegheny County, Pennsylvania, for use in connection with the Moon Township Airport and ceding jurisdiction to the United States.

## House Bill No. 1086, entitled:

An Act authorizing the recorder of deeds in counties of the first class to appoint and empower clerks employed in his office to administer oaths and affirmations.

## House Bill No. 1093, entitled:

An Act establishing a certain section of road over State-owned lands as a State Highway, and providing for the construction and maintenance at the expense of the Commonwealth.

## House Bill No. 1098, entitled:

An Act to further amend section fourteen of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law," by providing for an additional option at superannuation.

## House Bill No. 1102, entitled:

An Act defining cold storage, requiring licenses to operate cold storage warehouses and locker plants, requiring records, reports, marking, wrapping, protecting, limiting time of storage, disposition, sale, return or transfer of foods in cold storage conferring powers on the Department of Agriculture including adoption of rules and regulations, special permits for storage of feeding stuffs for animal use and providing penalties for violation of this act.

## House Bill No. 1106, entitled:

An Act to further amend subsection (a) of section seven of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "Municipality Authorities Act of 1945," by further regulating appointments of members of the board.

## House Bill No. 1107, entitled:

An Act to amend section two hundred fifteen and to further amend section two hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by changing the method of filling vacancies in the board of school directors, in certain cases.

## House Bill No. 1113, entitled:

An Act to amend section three hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "County Institution District Law," by directing that an allowance be paid to every county commissioner for expenses pertaining to the institution district.

## House Bill No. 1120, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to develop a farmers' museum designating purposes of such museum, and making an appropriation.

House Bill No. 1122, entitled:

An Act making an appropriation from the General and to the Waters and Powers Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River

House Bill No. 1123, entitled:

An Act making an appropriation to aid certain school districts

House Bill No. 1124, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the payment of the cost of construction of new Boy's Dormitory.

House Bill No. 1125, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

House Bill No. 1126, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

House Bill No. 1127, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

House Bill No. 1129, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

House Bill No. 1130, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

House Bill No. 1131, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

House Bill No. 1132, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

House Bill No. 1133, entitled:

An Act making a deficiency appropriation to aid certain school districts.

House Bill No. 1134, entitled:

A Supplement to the act, approved the ninth day of July one thousand nine hundred forty-seven (Appropriation Acts page 72), entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-seven," providing for deficiencies in certain appropriations made

by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-nine.

House Bill No. 1136, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-nine.

House Bill No. 1137, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

House Bill No. 1138, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

House Bill No. 1139, entitled:

An Act making an appropriation to the Land-Grant College of Pennsylvania for the purpose of matching certain moneys appropriated by the Congress of the United States

House Bill No. 1140, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of The Coal Mine Sealing Act of 1947.

House Bill No. 1141, entitled:

An Act making an appropriation from the General Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the World War II Veterans' Compensation Act of 1947, and making and appropriation out of the World War II Veterans' Compensation Fund to reimburse the General Fund.

House Bill No. 1142, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

House Bill No. 1153, entitled:

An Act to further amend section two of the act, approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 589), entitled, as amended, "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocating, widening or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies using such

streets; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing or deleting certain routes as indicated and adding certain new routes.

House Bill No. 1166, entitled:

An Act establishing a Pennsylvania Fish Wardens' Retirement System; providing for payments, upon retirement, death disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund under the Administration of the State Employees' Retirement Board; providing for contributions by fish wardens employed by the Board of Fish Commissioners and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits and rights from taxation and judicial processes, and providing penalties.

House Bill No. 1173, entitled:

An Act to amend sections six and twelve of the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "Fourth Class County Retirement Law," authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement upon such transfers.

House Bill No. 1174, entitled:

An Act to amend section five and to further amend section eleven of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the fifth class; imposing certain charges on counties and prescribing penalties," authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement upon such transfers.

House Bill No. 1178, entitled:

An Act regulating the use of gifts and donations to State hospitals; prohibiting the withholding of allocations of money to such hospitals for certain purposes; and imposing duties upon the Department of Welfare.

House Bill No. 1186, entitled:

An Act to further amend section four and add section fourteen to the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities, and all county or other public employees, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by effecting a change in the years of employment on which pensions are based; and by providing a method of paying service increments.

House Bill No. 1189, entitled:

An Act to amend section twelve of the act, approved the sixth day of April, one thousand nine hundred thirty-seven (P. L. 200), entitled "Pawnbrokers License Act," by further regulating certain permissible charges.

House Bill No. 1192, entitled:

An Act to further amend section twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by providing for a closed season of thirty days prior to the beginning of trout season in certain cases.

House Bill No. 1195, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate and buildings and an endowment fund for the Warrior Run Church and Cemetery located in Northumberland County, Pennsylvania, and making an appropriation.

House Bill No. 1216, entitled:

An Act abating certain tax penalties and interest or unpaid county, city, borough, town, township, school district, poor district, and county institution district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period, and preserving certain tax liens and providing for the extension thereof.

House Bill No. 1220, entitled:

An Act to amend subsection (a) of section three hundred eight of the act, approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368), entitled "Real Estate Tax Sale Law," by changing the time for giving delinquent taxpayers notice of the entry of tax claims; extending the time for making returns and transfers of taxes to and for giving notices of, tax claims by the tax bureau; validating, ratifying and confirming such actions though not performed within the time prescribed by said act; providing for the sale of properties against which such tax claims are filed and reinstating and validating the liens of such taxes which have been lost.

House Bill No. 1222, entitled:

An Act to further amend section ten of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees' Retirement Law," by granting per diem legislative employees, now State employees, credit for such per diem legislative service.

House Bill No. 1223, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act, approved the first day of May one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by authorizing certain tow trailer to be attached to motor vehicles drawing other vehicle requiring service.

House Bill No. 1232, entitled:

An Act to further amend section six hundred ten of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by further providing for the issuance of certain permits for excessive size and weight.

House Bill No. 1254, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Edinboro State Teachers College, to acquire certain tracts of land adjacent to Edinboro State Teachers College, in Erie County, Pennsylvania, and making an appropriation therefor.

## House Bill No. 1256, entitled:

A Joint Resolution proposing an amendment to section eighteen, article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the use of certain evenues for the acquisition of bridges and toll bridges.

## House Bill No. 1257, entitled:

An Act to repeal certain provisions of, and to add a new article eight to the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "State Highway Law," by eliminating provisions for the acquisition of privately owned toll bridges jointly with counties, and for the acquisition of intrastate bridges and tunnels by the State Bridge and Tunnel Commission; and authorizing and empowering the Secretary of Highways, with the approval of the Governor, to construct bridges, and approaches thereto to connect State highway routes under certain terms and conditions; conferring the power of eminent domain for such purpose; authorizing agreements with political subdivisions for sharing the property damage and construction costs; authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction; and making an appropriation.

## House Bill No. 1258, entitled:

An Act to further amend section two hundred and two and to repeal sections four hundred forty-nine and two thousand ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," abolishing the State Bridge Commission and its functions.

## House Bill No. 1282, entitled:

An Act to reenact and amend the act approved the thirtieth day of April, one thousand nine hundred forty-three (P. L. 135), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land.

## House Bill No. 1283, entitled:

An Act to reenact and amend the act approved the eighth day of May, one thousand nine hundred forty-seven (P. L. 181), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land.

## House Bill No. 1291, entitled:

An Act to further amend subsection (a) of section nine of the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "Non Profit Medical Service Corporation Act," by further defining persons of low income.

## House Bill No. 1292, entitled:

An Act to further amend subsection (a) of section two hundred nineteen of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," by further providing for the determination of persons of low income.

## House Bill No. 1300, entitled:

An Act validating certain sales and deeds to real property heretofore made by cities of the third class in good faith under a mistake of law.

## House Bill No. 1301, entitled:

An Act to add section one thousand two hundred eight point one to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations, facts or circumstances.

## House Bill No. 1303, entitled:

An Act making an appropriation to the Lancaster Heart Association, to be used for carrying on its purposes of research study treatment prevention and care of rheumatic fever and diseases of the heart; to provide convalescent care and hospital treatment in such cases; and for renovation and equipment of real property.

## House Bill No. 1307, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

## House Bill No. 1308, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

## House Bill No. 1309, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

## House Bill No. 1310, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority or for the services rendered by the Authority or its projects.

## House Bill No. 1317, entitled:

A Supplement to the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing

ing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the power of the Delaware River Bridge Joint Commission; and making an appropriation," authorizing the Governor on behalf of the Commonwealth of Pennsylvania, to enter into a supplemental compact or agreement with the State of New Jersey, changing the name of The Delaware River Joint Commission to the Delaware River Port Authority, and the method of appointment of commissioners, extending the jurisdiction, powers and duties of The Delaware River Port Authority and defining such additional jurisdiction, powers and duties; conferring power of veto upon the Governor; to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply, on behalf of the Commonwealth, to the Congress of the United States for its consent thereto.

House Bill No. 1319, entitled:

An Act to amend sections four and ten of the act, approved the second day of July, one thousand nine hundred and forty-seven (P. L. 1199), entitled "An Act imposing a State tax, payable by those herein defined as users, on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses, to file bonds as a guarantee of payment of taxes, penalties, interest, fines uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensed users; and making appropriations," by decreasing the amount of the permanent tax imposed thereunder; by imposing an additional State tax on fuels for a limited period of time and providing for the disposition and use thereof.

House Bill No. 1320, entitled:

An Act transferring money from the Manufacturing Fund to the General Fund.

House Bill No. 1321, entitled:

An Act making an appropriation to the General State Authority, to defray the costs and expenses of the said Authority in connection with the organization, administration, and operation thereof.

House Bill No. 1323, entitled:

An Act making an appropriation to the Department of Property and Supplies to acquire certain tracts of land adjacent to Slippery Rock State Teachers College in Butler County, Pennsylvania with the approval of the Governor and the Board of Trustees of Slippery Rock State Teachers College.

House Bill No. 1324, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

House Bill No. 1325, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-nine.

House Bill No. 1326, entitled:

An Act making an appropriation to the Department of Welfare for the Maintenance of certain homes.

House Bill No. 1328, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

House Bill No. 1329, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purpose of acquiring by gift or purchase, on behalf of the Commonwealth, the Codorus Forge and Furnace in Hellam Township, York County.

House Bill No. 1330, entitled:

An Act to amend section one of the act, approved the twenty-fourth day of March, one thousand nine hundred forty-nine and designated as Act No. 24 (P. L. ), entitled, "An act to reenact and further amend the title and the act, approved the fourteenth day of May, one thousand nine hundred forty-seven (P. L. 249), entitled as amended, 'An act to provide revenue by imposing an excise tax, payable by those herein defined as manufacturers and bottlers of bottled soft drinks, and syrups a herein defined, prepared, used, sold, transported or delivered within the Commonwealth and by others; requiring persons as herein defined engaged in the manufacture bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits; prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax; conferring power and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks and providing penalties,' by further regulating the procedure and the jurisdiction of the Department of Revenue and of the Board of Finance and Revenue relative to claims for refunds, and by extending the provisions thereof for a further limited period of time", by inserting the word carbonated waters in and further clarifying, the definition of syrups and bottled soft drinks, and by extending the period of time during which the department may advance tax crowns or stamps in certain cases.

ADJOURNMENT SINE DIE

The PRESIDENT. This being the day and hour fixed by concurrent resolution for the final adjournment at the hour of six o'clock, p. m., having arrived, I hereby declare the 138th Regular Session of the Senate of Pennsylvania adjourned sine die.

## HOUSE OF REPRESENTATIVES

THURSDAY, April 28, 1949.

The House met at 10:00 a. m., E. S. T.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

The Chaplain, Rev. William Hugh Fryer, offered the following prayer:

Almighty and everlasting God, Who makest us both will and to do those things that are good and acceptable unto Thy Divine Majesty. We pray for these Thy servants. Let Thy fatherly hand ever be over them; let Thy Holy Spirit ever be with them; and so lead them to the knowledge and obedience of Thy word, that in the end they may obtain everlasting life; through Jesus Christ our Lord. Amen.

## JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, April 27, 1949.

The Clerk proceeded to read the Journal of Wednesday, April 27, 1949, when, on motion of Mr. BEDNAREK unanimously agreed to, the further reading was dispensed with and the Journal approved.

## REPORT FROM COMMITTEE

Mr. BRUNNER from the Committee on Rules reported committed a Concurrent resolution of the Senate (Serial No. 109).

## SENATE MESSAGES

## ADJOURNMENT SINE DIE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 6, 1949.

Resolved, (If the House of Representatives concurs), that this Regular Session of the General Assembly adjourn sine die, Thursday, April 28th, 1949, at 6:00 o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

## SENATE BILL No. 229.

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

## SENATE BILL No. 247.

An Act to amend section one of the act approved the

seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forests reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" by increasing the amounts which the counties will receive from the State for forest reserves

## SENATE BILL No. 330.

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others

## SENATE BILL No. 465.

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary secondary and vocational schools

## SENATE BILL No. 501.

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority

## SENATE BILL No. 504.

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans soldiers sailors marines female field clerks yeoman (female) and nurses

## SENATE BILL No. 508.

An Act making an appropriation to the department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

## SENATE BILL No. 660.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of, and the purchase of apparatus and equipment for, the Western State Psychiatric Institute and Clinic and for the conduct of teaching and research on the cause, treatment, prevention and cure of the various types of nervous disorders and mental diseases; and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic.

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 238.

An Act to further amend section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" by including Catholic War Veterans Inc among the veterans' organization entitled to the printing of convention reports

## HOUSE BILL No. 239.

An Act to further amend section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including Catholic War Veterans Inc among the organizations exempt from payment of registration fees of vehicles used by such organization

## HOUSE BILL No. 869.

An Act to further amend section three hundred twenty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by permitting certain county employes of county correctional institutions in counties of the second class to be credited for previous service.

## HOUSE BILL No. 1166.

An Act establishing a Retirement system for fish warden employed by the board of fish commissioners providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the administration of the State Employes' Retirement Board providing for contributions by fish wardens employed by the Board of Fish Commissioners and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependent against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes making an appropriation and providing penalties

With the information that the Senate has passed the same without amendment.

### LINVILLE HILL MENNONITE SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House a delegation of students from the Linville Hill Mennonite School of Paradise, Lancaster County, under the supervision of their teachers Mrs. Graham and Miss Brubaker. They are the guests of the Members from Lancaster County.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been pre-

pared for presentation to the Governor, and the same being correct, the titles were publicly read as follows

## SENATE BILL No. 229.

An Act making an appropriation to the Department of Welfare to reimburse state aided hospitals for part of the cost of training student nurses in approved schools of nursing

## SENATE BILL No. 247.

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1728) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" by increasing the amount which the counties will receive from the State for forest reserves

## SENATE BILL No. 330.

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others

## SENATE BILL No. 465.

An Act making an appropriation to the Department of Public Instruction including proceeds of publication sold for the purpose of revising the curricula of elementary secondary and vocational schools

## SENATE BILL No. 501.

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority

## SENATE BILL No. 504.

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans soldiers sailors marines female field clerks yeoman (female) and nurses

## SENATE BILL No. 508.

An Act making an appropriation to the department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

## SENATE BILL No. 660.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of and the purchase of apparatus and equipment for the Western State Psychiatric Institute and Clinic and for the conduct of teaching and research of the cause treatment prevention and cure of the various types of nervous disorders and mental diseases and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic

## HOUSE BILL No. 24.

An Act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances hereto adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds

## HOUSE BILL No. 103.

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase condemnation lease or gift certain lands adjacent to the Daniel Boone Homestead property providing for the maintenance and improvement thereof and making an appropriation for the payment of the costs of such acquisition

## HOUSE BILL No. 206.

An Act to further amend section two thousand eight hundred one A of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employees providing for the appointment of certain administrative officers in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" further regulating the disposition of museum material in the custody of the Pennsylvania Historical and Museum Commission

## HOUSE BILL No. 216.

An Act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds

## HOUSE BILL No. 240.

An Act to further amend section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" by including Catholic War Veterans Inc among the veterans' organizations to which certain appropriations may be made

## HOUSE BILL No. 241.

An Act to further amend clause thirty-four of section twenty-four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by including Catholic War Veterans Inc among the veterans' organizations for which certain appropriations may be made

## HOUSE BILL No. 260.

An Act establishing a retirement system for game protectors of the Pennsylvania Game Commission providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by game protectors of the Pennsylvania

Game Commission and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial process making an appropriation and providing penalties

## HOUSE BILL No. 285.

An Act to further amend sections one and eight of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" further regulating such retirement systems

## HOUSE BILL No. 293.

An Act to further amend clause (b) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by reducing the working week of Capitol Police to five days

## HOUSE BILL No. 320.

An Act to amend section one of the act approved the third day of April one thousand nine hundred twenty-nine (P. L. 127) entitled "An act fixing the fees of the recorder of deeds in counties of the third and fourth class" changing said fees

## HOUSE BILL No. 364.

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

## HOUSE BILL No. 438.

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 126) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring such townships to establish police pension funds in certain cases and permitting private police pension funds in such townships to elect to transfer their funds to township police pension funds

HOUSE BILL No. 911.

An Act relating to police pension funds in boroughs towns and townships and authorizing such political subdivisions to appropriate monies thereto

HOUSE BILL No. 480.

An Act to amend section one of the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 765) entitled "An act fixing the fees of the recorder of deeds in counties of the sixth seventh and eighth class" by clarifying the provisions relating to the payment by the county commissioners of certain fees for services rendered by the recorder of deeds

HOUSE BILL No. 625.

An Act to further amend subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of certain vehicles.

HOUSE BILL No. 786.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the cost price per copy of publications for distribution to the public

HOUSE BILL No. 835.

An Act limiting the forfeiture confiscation seizure condemnation or taking of certain motor vehicles used in violation of law

An Act to further amend section six of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by providing additional grounds for revocation of registration.

HOUSE BILL No. 946.

An Act to amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 759), entitled "An act providing for the acquisition and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission of the Bushy Run Battlefield and adjacent lands as a public historical park and for the erection of a monument or memorial therein authorizing the department to accept gifts for exhibition in and funds or securities to be invested for the benefit of said park imposing duties upon the Governor the Auditor General and the State Treasurer in connection with such funds or securities and making an appropriation" by authorizing the Bushy Run Battlefield Commission to accept gifts or bequests authorizing the commission to adopt and execute plans for the improvement preservation and maintenance of the park authorizing the commission to enter into agreements respecting highways railways railroads and other means of travel within the park and to regulate the travel and traffic over said park and police the same authorizing use of the park as a camping ground for the National Guard of Pennsylvania and permitting the erection of monuments or other memorials on the park grounds

HOUSE BILL No. 949.

An Act to repeal the act approved the twenty-eight day of July, one thousand nine hundred forty-one (P. I 535), entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor," in so far as it relates to counties of the second class and cities, boroughs, townships, and school districts, situate in such counties.

## HOUSE BILL No. 991.

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 735) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk, skimmed milk and cream providing penalties for the violation thereof" by defining skim milk and providing for methods of standardization of milk

HOUSE BILL No. 992.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (C. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and the several administrative departments boards commissions

ions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by making the Bushy Run Battlefield Commission a departmental administrative commission in the Department of Forests and Waters

#### HOUSE BILL No. 1049.

An Act to further amend section four hundred four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by increasing benefits

#### HOUSE BILL No. 1077.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Allegheny County Pennsylvania for use in connection with the Moon Township Airport and ceding jurisdiction to the United States

#### HOUSE BILL No. 1086.

An Act authorizing the recorder of deeds in counties of the first class to appoint and empower clerks employed in his office to administer oaths and affirmations.

#### HOUSE BILL No. 1098.

An Act to further amend section fourteen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for an additional option of superannuation.

#### HOUSE BILL No. 1140.

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of the Coal Mine Sealing Act of 1947.

#### HOUSE BILL No. 1153.

An Act to further amend section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and

for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes as indicated and adding certain new routes

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### COMMITTEE OF CONFERENCE DISCHARGED ON HOUSE BILL No. 1073

Mr. WOOD. Mr. Speaker, I am directed to report that the Committee of Conference on the part of the House is unable to reach an agreement with the Committee on the part of the Senate on the differences existing between the House and the Senate on House Bill No. 1073, Printer's No. 664, entitled:

An Act to amend subsection five of section seven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for determining the amount earnable by members of the General Assembly.

and I move that the Committee on the part of the House be discharged from further consideration of this bill.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, what is the parliamentary effect of the gentleman's motion? In what position does that leave the bill

The SPEAKER. For the information of the gentleman from Cambria, Mr. Andrews, it places the bill in the same position it was before the Committee was appointed.

Mr. HOMER S. BROWN. Mr. Speaker, I wonder if the gentleman from Lancaster, Mr. Wood would withdraw his motion momentarily. We would like to have a conference on the matter on this side of the House. We did not know that this motion was going to be made at this time. If he will do that we will be grateful.

The SPEAKER. Will the gentleman from Lancaster Mr. Wood withdraw his motion temporarily?

Mr. WOOD. I will, Mr. Speaker.

Mr. HOMER S. BROWN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Allegheny rise?

Mr. BROWN. To ask, Mr. Speaker, that you recognize the gentleman from Lancaster, Mr. Wood.

Mr. WOOD. Mr. Speaker, I renew my motion to discharge the Committee of Conference on House Bill 1073, Printer's No. 664.

The motion was agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. WOOD. Mr. Speaker, I move that the House insist upon its nonconcurrence in the amendments made and insisted upon by the Senate.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I would request the conferees when they have reached a decision, inform the Minority Leader as to the decision reached, in order that we may have some information as to the motions of concurrence and non-concurrence, and also the background.

The SPEAKER. The conferees are requested when submitting their reports to comply with the request of the gentleman from Cambria, Mr. Andrews.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

### MEMBERS OF GENERAL ASSEMBLY OF STATE OF MARYLAND WELCOMED

The SPEAKER. The Chair is pleased to welcome to the Hall of the House, the Honorable Howard E. Aukenev, the Honorable George D. Hicks and the Honorable John D. Newcomer, Members of the General Assembly of the State of Maryland. They with their families are guests of the gentleman from Franklin, Mr. Barkdoll.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 445, entitled:

An Act to amend sections six hundred fifty-two and six hundred seventy-two and to add section seven hundred nine to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring school districts of the first class to levy additional taxes to pay rentals to municipality authorities or authorities created by the General Assembly having state-wide jurisdiction authorizing school districts of other classes to levy additional taxes for such purposes and authorizing school districts singly or jointly with other school districts to convey property to municipality authorities to make appropriations to such authorities and to contract with and lease property from such authorities.

The first section was read.

On the question,

Will the House agree to the section?

### SENATE BILL NO 445 DROPPED FROM CALENDAR

Mr. BRUNNER. Mr. Speaker, in view of the fact that the sine die resolution has been adopted as of today, I move that this bill be dropped from the calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 684, entitled:

An Act providing for assistance by the Commonwealth to its political subdivisions in the maintenance of and service to patients in tuberculosis hospitals wings or pavilions conferring powers and imposing duties upon the Secretary of Health and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

### SENATE BILL No. 684 DROPPED FROM CALENDAR

Mr. BRUNNER. Mr. Speaker, I move that this bill be dropped from the calendar.

On the question,

Will the House agree to the motion?

Mr. SCHMIDT. Will the Majority Leader explain to us why this bill did not reach second reading yesterday?

Mr. BRUNNER. Mr. Speaker, when this bill was released from the Committee it was released in the sole custody of the Chairman. The Committee met on the day before yesterday and released the bill only with that understanding, therefore it is in the same category as any other committee agreement, which this House at all times recognizes.

Mr. SCHMIDT. I thank the gentleman.

Mr. Speaker, I should like to interrogate the Chairman of the Committee from which this bill was released.

The SPEAKER. Will the gentleman from Lancaster, Mr. Wood, permit himself to be interrogated?

Mr. WOOD. I shall, Mr. Speaker.

Mr. SCHMIDT. Mr. Speaker, will the gentleman tell us why this bill was not called up for second reading yesterday?

Mr. WOOD. Mr. Speaker, I got some objections from the Department of Health.

Mr. SCHMIDT. What type of bill is it, Mr. Speaker? In other words what would this bill do?

Mr. WOOD. Mr. Speaker, the bill would make appropriation to the Department of Health for the tuberculosis hospitals.

Mr. SCHMIDT. Mr. Speaker, would the gentleman know what amount of money, for instance, the county of Allegheny or the city of Pittsburgh would receive if this bill were passed to help us take care of tubercular patients.

Mr. WOOD. Mr. Speaker, the budget for the Pittsburgh hospitals for 1949 was seven hundred and fifty-five thousand dollars, and this bill was for half of it.

Mr. SCHMIDT. Mr. Speaker, what is the objection of the Department of Health? Is it to the appropriation itself?

Mr. WOOD. Mr. Speaker, they have several objections, four or five.

Mr. SCHMIDT. Mr. Speaker, during the confusion on yesterday's session, I stood upon this floor and inquired as to the status of a bill which was on the calendar, not knowing whether or not that bill had been called. I was

advised at that time that the bill had not been called up, then I proceeded to have it called up, and you all know what happened to the bill.

This bill, Senate Bill 684, was on the calendar, and someone rose and asked that the bill go over, and the bill went over. We felt that any bill on the calendar, especially a Senate Bill, would have been called up by the Chair.

Here is a bill, and I want this on the record, so the people back home will know—here is a bill which would have contributed to the expense of maintaining the tubercular patients by counties and cities who now find themselves in financial embarrassment.

Why the Department of Health should have objected to this bill is beyond me. I heard the Majority Leader say that the bill was released in the custody of the Chairman of the Committee. I feel that the record should show that we here in the House did not have an opportunity to vote on this bill, so that our various districts would be reimbursed by the state.

The SPEAKER. For the information of the gentleman from Allegheny, Mr. Schmidt, the Chair distinctly recalls having acted upon Senate Bill 684, Printer's No. 643, which was passed over by unanimous consent of the House; there was no objection at yesterday's session.

Mr. HOMER S. BROWN. Mr. Speaker, just to correct one error in what the gentleman from Allegheny, Mr. Schmidt, said.

I do not want the record to show that there was an inadvertence in the proceedings of yesterday. The Chair knows that I spoke to him about this bill, and the Chair informed me that the Committee Chairman had not received from the Committee the power to move the bill. I knew that there wasn't but one thing to do, and that was to either move to discharge the Committee, although the bill was on the calendar, or attempt to discharge the Committee from its obligation, which would have been an impossible thing to do. After receiving that advice from the Chair we passed the bill over. There wasn't anything else we could do. I simply want the record to show that the gentleman was in error when he stated that the bill was inadvertently passed over.

The SPEAKER. The Chair thanks the gentleman.

Mr. BRANDON. Mr. Speaker, I also rise to say that there was no inadvertence. It was clearly a matter of the Department of Health having recommended and the Committee Chairman having refused to allow the bill to come out. It was killed, as I see it, as a result of administration tactics.

The SPEAKER. The Chair also thanks the gentleman from Allegheny, Mr. Brandon.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

## BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 897, as follows:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the World War II Veterans' Compensation Fund defining the powers

and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption and refunding of such bonds and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That an amendment to article nine of the Constitution of Pennsylvania which reads as follows "Section 22 In addition to the purposes stated in article nine section four of this Constitution the Commonwealth may be authorized by law to create debt and to issue bonds to the amount of \$500,000,000 for the payment of compensation to certain persons from this Commonwealth who shall have served in the armed forces of the United States or of any of her allies during World War II between the seventh day of December one thousand nine hundred forty-one and the second day of September one thousand nine hundred forty-five for the service of such persons to their country whether or not they be living when distribution shall be made and if such persons shall be deceased when distribution shall be made such deceased person's compensation shall be paid to his spouse child children or parents" may be adopted by the people at the election in November one thousand nine hundred forty-nine If the people adopt said amendment the Governor the Auditor General and the State Treasurer in accordance with the provisions thereof and on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed during the fiscal biennium beginning the first day of June one thousand nine hundred forty-nine from time to time to borrow on the credit of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate at any one time the sum of five hundred million dollars (\$500,000,000) as may be found necessary to carry out the purposes of such amendment and statutes passed in conformity therewith

### Section 2 Bonds Issue Maturity Interest Et Cetera

(a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity rate of interest not to exceed four and one-half percent (4½%) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear facsimile signature of the Governor Auditor General and State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agents of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act

Section 3 Sale of Bonds Whenever bonds are so issued they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor Auditor General and State Treasurer shall direct The manner and character of such advertisement and the times of advertising shall be pre-

scribed by the Governor the Auditor General and the State Treasurer

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct. No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act.

Section 3.1 Refunding Bonds The Governor Auditor General and State Treasurer are hereby authorized to provide by resolution for the issuance of refunding bonds for the purpose of refunding any bonds issued under the provisions of this act and then outstanding either by voluntary exchange with the holders of such outstanding bonds or to provide funds to redeem and retire such outstanding bonds with accrued interest and any premium payable thereon at maturity or at any call date the issuance of such refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Governor Auditor General and the State Treasurer in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable. Refunding bonds may be issued by the Governor Auditor General and the State Treasurer to refund bonds originally issued or to refund bonds previously issued for refunding purposes.

Section 4 Disposition and Use of Proceeds The proceeds realized from the sale of bonds under the provisions of this act and such other moneys as the General Assembly shall from time to time appropriate for like purposes shall be paid into a special fund in the State Treasury hereby created to be known as the World War II Veterans' Compensation Fund and shall be used for the payment of compensation to certain veterans as provided for in the constitutional amendment hereinbefore cited and in legislation passed in conformity therewith.

Section 5 Registration of Bonds The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof according to the terms and conditions of issue directed by the Governor the Auditor General and the State Treasurer under section two paragraph (a) hereof. All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth.

Section 6 Information to General Assembly It shall be the duty of the Governor to include in every biennial budget submitted to the General Assembly full information relating to the issuance of bonds under the provisions of this act to enable the General Assembly to provide by appropriation the moneys necessary for the sinking fund of the Commonwealth for the payment of the interest on said bonds and the principal thereof at maturity.

Section 7 Special Fund Investments Redemption of Bonds All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the World War II Veterans' Compensation Sinking Fund. For specific purpose of redeeming said bonds at maturity and paying all interest thereon in accordance with the information received from the Governor the General Assembly shall appropriate biennially the moneys necessary for the payment of the interest on said bonds and the principal thereof at maturity. All moneys so appropriated shall be paid into the World War II Veterans' Compensation Sinking Fund by the State Treasurer and all of such moneys not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided by law for the investment of the sinking funds of the Commonwealth.

The Board of Finance and Revenue is authorized at any time to use any of the moneys in the World War II Veterans' Compensation Fund not necessary for the payment of compensation to veterans in accordance with the

provisions of the constitutional amendment hereinbefore cited and the legislation passed in conformity therewith for the purchase and retirement of all or any part of the bonds issued under the authority of this act. In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be canceled and returned to the State Treasurer as canceled and paid bonds and thereafter all payments of interest thereon shall cease and the canceled bonds and coupons shall be destroyed within two (2) years after cancellation in the presence of the Governor the Auditor General and the State Treasurer and a certificate evidencing the destruction satisfactory to the duly authorized loan and transfer agent of the Commonwealth shall be furnished to it. All canceled bonds and coupons shall be so marked as to make the canceled bonds and coupons non-negotiable.

Section 8 Present Biennium Requirements The Board of Finance and Revenue shall determine the amount of money necessary for the payment of interest on the bonds and the principal thereof if any for the two fiscal years beginning the first day of June one thousand nine hundred forty-nine and the times and amounts of such payments and the amount so determined shall be transferred from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund and for such purpose as much of the money in the World War II Veterans' Compensation Fund as may be necessary is hereby appropriated. Should the moneys in the World War II Veterans' Compensation Fund for any reason not be available for the payment of interest on the bonds or the principal thereof if any the funds necessary for such purpose are hereby appropriated from the General Fund and whenever any moneys are transferred from the World War II Veterans' Compensation Fund for the payment of said interest on and principal of said bonds and such moneys are needed for the payment of compensation to veterans as provided by law there is hereby appropriated from the General Fund a sum sufficient to restore to the World War II Veterans' Compensation Fund the moneys so transferred.

Section 9 Quorum Whenever in this act any action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue bonds in accordance with the constitutional amendment quoted in the first section of this act in such time that payment of compensation to veterans as provided for in said constitutional amendment and legislation passed in conformity therewith may be made upon the establishment of the qualifications of those entitled thereto.

Section 10 Expenses of preparation Issue and sale of bonds for the purpose of providing the bonds and for the payment of the cost of advertising the same and for payment of the compensation of the loan and transfer agent for the biennium 1949-1951 and for all other costs and expenses in connection with the issue of and sale and registration of said bonds there is hereby appropriated from the general fund the sum of six hundred thousand dollars (\$600,000). Payments from said appropriation shall be made by requisition of the Auditor General after approval of vouchers by the Governor Auditor General and State Treasurer. The amount that shall be necessarily expended from said appropriation for the purposes stated shall be repaid from the World War II Veterans' Compensation Fund into the General Fund from the receipts of the sale of said bonds. As much of the money in the World War II Veterans' Compensation Fund as may be necessary is hereby appropriated for this purpose.

Section 11 This act shall become effective immediately upon final enactment.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altschuler,	Frost,	Loftus,	Rose.
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchini,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

Agreeably to order,  
The House proceeded to the consideration on final passage of Senate Bill No. 647, as follows:

An Act relating to insurers not authorized to transact business in this State providing for actions in this State against and for the service of process upon such insurers prescribing how a defense may be made by such insurer and providing for the allowance of attorneys fees in actions against such insurers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Purpose of Act The purpose of this act is

to subject certain insurers to the jurisdiction of courts of this State in suits by or on behalf of insureds or beneficiaries under insurance contracts The legislature declares that it is a subject of concern that many residents of this State hold policies of insurance issued or delivered in this State by insurers not authorized to do business in this State thus presenting to such residents the often insuperable obstacle of resorting to distant forums for the purpose of asserting legal rights under such policies In furtherance of such state interest the legislature herein provides a method of substituted service of process upon such insurers and declares that in so doing it exercises its power to protect its residents and to define for the purpose of this statute what constitutes doing business in this State and also exercises powers and privileges available to the state by virtue of Public Law 15 79th Congress of the United States Chapter 20 first Sess S 340 as amended which declares that the business of insurance and every person engaged therein shall be subject to the laws of the several states

## Section 2 Service of Process upon Unauthorized Insurer

(a) Any of the following acts in this State effected by mail or otherwise by an unauthorized insurer of another state or foreign government (1) the issuance or delivery of contracts of insurance to residents of this state or to corporations authorized to do business therein (2) the solicitation of applications for such contracts (3) the collection of premiums membership fees assessments or other considerations for such contracts or (4) any other transaction of insurance business is equivalent to and shall constitute an appointment by such insurer of the Insurance Commissioner and his successor or successors in office to be its true and lawful attorney upon whom may be served all lawful process in any action suit or proceeding instituted by or on behalf of an insured or beneficiary arising out of any such contract of insurance and any such act shall be signification of its agreement that such service of process is of the same legal force and validity as personal service of process in this state upon such insurer

(b) Such service of process shall be made by delivering to and leaving with the Insurance Commissioner or his deputy two copies thereof and the payment to him at the time of said service the sum of two (\$2) dollars The Insurance Commissioner shall forthwith mail by registered mail one of the copies of such process to the defendant at its last known principal place of business and shall keep record of all process so served upon him Such service of process is sufficient provided notice of such service upon the Insurance Commissioner and a copy of the process are sent within ten days thereafter by registered mail by plaintiff or plaintiff's attorney to the defendant at its last known principal place of business and the defendant's receipt or receipt issued by the postoffice with which the letter is registered showing the name of the sender of the letter and the name and address of the person to whom the letter is addressed and the affidavit of the plaintiff or plaintiff's attorney showing a compliance herewith are filed with the prothonotary or clerk of the court in which such action is pending on or before the date the defendant is required to appear or within such further time as the court may allow

(c) Service of process in any such action suit or proceeding shall in addition to the manner provided in subsection (b) of this section be valid if served upon any person within this state who in this state on behalf of such insurer is

(1) soliciting insurance or

(2) making issuing or delivering any contract of insurance or

(3) collecting or receiving any premium membership fee assessment or other consideration for insurance and a copy of such process is sent within ten days after such service by registered mail by the plaintiff or plaintiff's attorney to the defendant at the last known principal place of business of the defendant and the defendant's receipt or the receipt issued by the postoffice with which the letter is registered showing the name of the sender

of the letter and the name and address of the person to whom the letter is addressed and the affidavit of the plaintiff or plaintiff's attorney showing a compliance herewith are filed with the prothonotary or the clerk of the court in which such action is pending on or before the date the defendant is required to appear or within such further time as the court may allow.

(d) No plaintiff or complainant shall be entitled to a judgment by default or otherwise until the expiration of thirty days from date of the filing of the affidavit of compliance.

(e) Nothing in this section contained shall limit or abridge the right to serve any process notice or demand upon any insurer in any other manner now or hereafter permitted by law.

### Section 3 Defense of Action by Unauthorized Insurer

(a) Before any unauthorized insurer of another state or foreign government shall file or cause to be filed any pleading in any action suit or proceeding instituted against it such unauthorized insurer shall either (1) deposit with the prothonotary of the court in which such action suit or proceeding is pending cash or securities or file with such prothonotary or clerk a bond with good and sufficient sureties to be approved by the court. Said deposit or bond shall be in such amount as the court in its sole discretion after taking into account the financial condition of the unauthorized insurer and such other factors as the court considers pertinent may deem sufficient to secure the payment of any final judgment which may be rendered in such action or (2) procure a certificate of authority to transact the business of insurance in this state.

(b) The court in any action suit or proceeding in which service is made in the manner provided in subsections (b) or (c) of section two may in its discretion order such postponement as may be necessary to afford the defendant reasonable opportunity to comply with the provisions of subsection (a) of this section and to defend such action.

(c) Nothing in subsection (a) of this section is to be construed to prevent an authorized insurer of another state or foreign government from filing a motion to quash a writ or to set aside service thereof made in the manner provided in subsection (b) or (c) of section two hereof on the ground either (1) that such unauthorized insurer has not done any of the acts enumerated in subsection (a) of section two or (2) that the person on whom service was made pursuant to subsection (c) of section two was not doing any of the acts therein enumerated on behalf of such insurer.

**Section 4 Attorney Fees** In any action against an unauthorized insurer of another state or foreign government upon a contract of insurance issued or delivered in this state to a resident thereof or to a corporation authorized to do business therein of the insurer has failed for thirty days after demand prior to the commencement of the action to make payment in accordance with the terms of the contract and it appears to the court that such refusal was vexatious and without reasonable cause the court may allow to the plaintiff a reasonable attorney fee and include such fee in any judgment that may be rendered in such action. Such fees shall not exceed twelve and one-half per cent of the amount which the court or jury finds the plaintiff is entitled to recover against the insurer but in no event shall such fee if allowed be less than twenty-five dollars. Failure of an insurer to defend any such action shall be deemed prima facie evidence that its failure to make payment was vexatious and without reasonable cause.

**Section 5** The provisions of this act shall not apply to any action suit or proceeding against any unauthorized insurer arising out of a contract of

(1) Reinsurance effectuated in accordance with the laws of Pennsylvania

(2) Insurance effectuated in accordance with Section six hundred twenty-four of the Insurance Department Act of May 17 1921 P. L. 789

(3) Aircraft insurance

(4) Insurance on property or operations of railroads engaged in interstate commerce

(5) Insurance against legal liability arising out of the ownership operation or maintenance of any property having a permanent situs outside of this state or

(6) Insurance against loss of or damage to any property having a permanent situs outside this state where such contract contains a provision designating the Insurance Commissioner to be its true and lawful attorney upon whom may be served all lawful process in any action suit or proceeding instituted by or on behalf of an insured or beneficiary arising out of any such contract.

**Section 6 Short Title** This act shall be known and may be cited as the "Unauthorized Insurers Process Act"

**Section 7** All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—207

Amarando,	Frost,	Loftus,	Rose,
Altshuler,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsich,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudensfield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Vallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jlm,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

### NAYS—0

### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 676, entitled:

An Act to amend sections three hundred forty-five three hundred forty-six three hundred sixty-three three hundred seventy and three hundred seventy-one of and to add section three hundred sixty-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing fiscal years of counties providing for a temporary fiscal period to effectuate such change and regulating budgets audits and financial reports

On the question,

Shall the bill pass finally?

#### BILL DROPPED FROM CALENDAR

Mr. ROBERTSON. Mr. Speaker, I move that this bill be dropped from the calendar  
The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 797, as follows:

An Act to further amend section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compensation of judges inspectors clerks and machine inspectors and for mileage to persons furnishing transportation for transmitting returns and ballot boxes at primaries and elections

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended in part by the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 94) and the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1059) is hereby amended to read as follows

Section 412 Compensation of Election Officers (a) In counties of the first and second classes the compensation of judges of election shall be fifteen (\$15.00) dollars and the compensation of inspectors clerks and machine in-

spectors shall be ten (\$10.00) dollars for each primary and election

(b) In counties of the third fourth fifth sixth seventh and eighth classes the [minimum] compensation of judges inspectors clerks and machine inspectors in districts using voting machines shall be [six dollars (\$6) and for clerks the minimum compensation shall be five dollars (\$5)] fixed by the county board of elections of the county at not less than the following judges of election seven dollars fifty cents (\$7.50) inspectors and clerks six dollars (\$6) and machine operators five dollars (\$5) and not more than the following judges of election twenty dollars (\$20) inspectors and clerks seventeen dollars fifty cents (\$17.50) and machine operators fifteen dollars (\$15) for each primary and election In districts using voting machines the county board of elections may in its discretion establish different per diem rates within the above mentioned minima and maxima based on the number of votes cast for the following groups 150 votes or less 151 to 500 votes 501 to 1000 votes over 1000 votes In every election district using paper ballots in such counties the compensation of judges inspectors and clerks shall be fixed by the county board of elections of the county at not less than six dollars (\$6) nor more than ten dollars (\$10) for each primary and election In any election district using paper ballots in such counties in which more than one hundred votes are cast at any primary or election all such officers and clerks shall each receive additional compensation at the rate of two dollars (\$2) for each one hundred votes or fraction thereof cast after the first one hundred votes Provided That in districts using paper ballots no judge of elections shall receive more than twenty-seven dollars fifty cents (\$27.50) for any primary or election nor shall any inspector or clerk receive more than twenty-five dollars (\$25) for any primary or election

(c) For transmitting returns of primaries and elections and the ballot box or boxes all judges of election shall be entitled to receive the additional sum of [two dollars and fifty cents (\$2.50) and five cents (\$.05) per mile for mileage] three dollars and fifty (\$3.50) as full compensation for said services

(d) For transmitting the ballot box or boxes together with the judge of election as herein provided the minority inspector of election shall be entitled to an additional sum of three dollars and fifty cents (\$3.50) as full compensation for said services

The person furnishing transportation to the judge of election and the minority inspector in transmitting returns and ballot boxes as provided in clauses (c) and (d) of this section shall be entitled to ten cents (10c) per mile circular from the polling place to the county court house The name of such person shall appear on the voucher of the judge of elections

(e) When a primary and special election or a special and general or municipal election take place on the same day they shall be construed as one election for the purposes of this section

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,

Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Haudenschild,	Moran,	Sternberg,
Brown, Wm. E.,	Heatherington,	Munley,	Stimmel,
Brunner,	Helm,	Murray,	Stuart,
Bucchin,	Herman,	Musto,	Swope,
Cadwalader,	Hersch,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varnier,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weldner,
Driscoll,	Keller,	Praff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kilne,	Price, H. W. Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

## NAYS—1

Harris,

## NOT VOTING—1

Krisse,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 834, as follows:

An Act to reenact and amend the title and the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person co-

partnership association common law trust or corporation except a non-profit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by including in the plan certain dental services defining "dental services" and further defining "medical services"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" sections three four nine nineteen of which were amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 360) are hereby reenacted and amended to read as follows

## AN ACT

Providing for the regulation and supervision of nonprofit medical and dental service corporations organized to provide medical or dental services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical and dental service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine and doctors of dental surgery to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical and dental service corporation from providing medical or dental services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act

Section 1 Short Title This act shall be known and may be cited as the "Nonprofit Medical and Dental Service Corporation Act"

**Section 2 Declaration of Necessity** It is hereby declared that adequate medical and dental services are essential for the maintenance of the physical and mental health of the residents of the Commonwealth and that it is necessary that provision be made for adequate medical and dental services to persons of low income who are unable to provide such services for themselves or their dependents without depriving themselves or their dependents of such necessities of life as food clothing and shelter [while maintaining the standing and promoting the progress of the science and art of medicine in this State]

**Section 3 Definitions** For the purposes of this act only and not for the purposes of defining medical practice or dental practice as such the terms stated below have the meanings assigned to them respectively [unless the context otherwise requires]

"Medical services" means the general and usual services rendered and the care administered by doctors of medicine as defined in the Medical Practice Act

"Dental services" means the general and usual services rendered by doctors of dental surgery serving in the capacity of a staff member of an accredited hospital provided such services are rendered in an accredited hospital

"Nonprofit medical and dental service corporation" means a corporation organized and operated under the provisions of the "Nonprofit Corporation Law" approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) and its amendments

"Income" means net income from gains profits and net income derived from professions vocations trades businesses commerce or sales or dealings in property whether real or personal growing out of the ownership or use of or interest in such property also from interest rent dividends securities or the transaction of any business carried on for gain or profit or gains or profits and income derived from any source whatever and income derived from salaries wages or compensation for personal service of whatever kind and in whatever form paid

"Low income" means income as set forth in section nine hereof

"Over-income" means income as set forth in section nine hereof

"Subscribers of low income" means persons of low income who subscribe to a nonprofit medical and dental service corporation plan

"Subscribers of over-income" means persons of over-income who subscribe to a nonprofit medical and dental service corporation plan

["Medical services" means the general and usual services rendered and care administered by doctors of medicine]

"Department of Health" means Department of Health of the Commonwealth

"Court" means the court of common pleas of the county where the principal office of the nonprofit medical and dental corporation is or is to be located

"Person with dependents" means any person who furnishes other persons with their chief support whether or not such dependent person is related to or living with him

**Section 4 Unauthorized Nonprofit Medical or Dental Service for Prepayment Periodical or Lump Sum Payments Forbidden** It shall be unlawful for any person copartnership association common law trust or corporation except when especially organized and authorized under the provisions of the Nonprofit Corporation Law and its amendments for the purpose to establish maintain or operate a nonprofit medical and dental service plan whereby medical or dental services may be provided to persons of low income and over-income as herein defined for prepayment periodical or lump sum payments but this shall not be construed as preventing a person copartnership association common law trust or corporation from furnishing medical or dental services for the prevention of disease among its or his employees or from furnishing such medical or dental services as is required under the Workmen's Compensation Act and related legislation when the employee is not charged for such service nor shall any provision in this act be con-

strued to apply to beneficial benevolent fraternal and fraternal benefit societies having a lodge system and a representative form of government Nor shall this act limit or repeal any provision of the Nonprofit Hospital Acts of one thousand nine hundred thirty-seven Pamphlet Laws one thousand nine hundred forty-eight and one thousand nine hundred thirty-seven Pamphlet Laws one thousand nine hundred eighty

**Section 5 Regulation and Supervision** A Nonprofit medical and dental service corporation shall be subject to regulation and supervision by the Department of Health and the Insurance Department as provided for by this act It shall not be subject to the laws of this State now in force relating to insurance and corporations engaged in the business of insurance nor to any law hereafter enacted relating to insurance and corporations engaged in the business of insurance unless such law specifically and in exact terms applies to such nonprofit medical and dental service corporations

**Section 6 Reserves To Be Maintained** A nonprofit medical and dental service corporation shall at all times while engaged in business maintain reserves in such form and amount as the Insurance Commissioner may determine to insure its subscribers against loss through the failure of the corporation to furnish the services agreed to in its contracts

**Section 7 Scope of Service** (a) A nonprofit medical and dental service corporation shall by its articles of incorporation and with the approval of the Department of Health the Insurance Department and the approval of the court define the limits of the area in which it will operate and the court shall be guided solely by public necessity and public interest and welfare in approving or disapproving the articles of incorporation

(b) A nonprofit medical and dental service corporation may by its articles of incorporation or by its by-laws limit the medical or dental services that it will provide for its subscribers and may divide such medical or dental services as its elects to provide into classes or kinds and it may enter into contracts with its subscribers or groups of subscribers to secure medical or dental services of any kind or class so named and delimited

(c) A nonprofit medical and dental service corporation shall not provide medical or dental services for its subscribers otherwise than through doctors of medicine or doctors of dental surgery

(d) A nonprofit medical and dental service corporation shall provide medical or dental services only to persons domiciled within the State But if a subscriber regularly domiciled within the State and entitled to medical or dental services or any of his dependents so entitled necessarily employs medical or dental services within the meaning of this act while absent from the State a medical and dental service corporation to which he is a subscriber may in its discretion and if satisfied as to the necessity for such services and satisfied that it was such as the subscriber would have been entitled to under similar circumstances in this State pay to the physicians who rendered the services such fees and charges as would have been payable if the services had been rendered in this State Provided however That a nonprofit medical and dental service corporation organized under the laws of this State and operating near its boundaries may with the consent of the proper officers of and as authorized by the law of the adjacent State provide medical or dental services therein but all operations of any such corporation whether within or without this State shall remain at all times subject to the provisions of this act

(e) All medical or dental services provided by or on behalf of a nonprofit medical and dental service corporation shall be in accordance with the best medical or dental practice in the community at the time but the corporation providing such services shall not be liable for injuries resulting from negligence misfeasance malfeasance nonfeasance or malpractice on the part of any officer or employee or on the part of any doctor of medicine or doctor of dental surgery in the course of rendering medical

or dental services to subscribers and the corporation may so provide in its contracts with subscribers

Section 8 Rights of Doctors of Medicine Doctors of Dental Surgery etc (a) Every doctor of medicine or doctor of dental surgery practicing within the area covered by any nonprofit medical and dental service corporation shall have the right on complying with such regulations as the corporation may make with the approval of the Department of Health to register with such corporation for general or special medical or dental services as the case may be within that area but the corporation may with the approval of the Department of Health refuse to place the name of any doctor of medicine or doctor of dental surgery on its register Any nonprofit medical and dental service corporation may with the approval of the Department of Health remove from its register the name of any doctor of medicine or doctor of dental surgery after due notice and hearing for cause satisfactory to the corporation

(b) A nonprofit medical and dental service corporation shall impose no restrictions on the doctors of medicine or doctors of dental surgery who administer to its subscribers as to methods of diagnosis or treatment The relation between a subscriber or any of his dependents and the doctor of medicine or doctor of dental surgery shall be identical with the relation that ordinarily exists in the community between a physician and his patient No person shall be permitted to interfere with a patient's choice or selection of his physician after that choice or selection has been made by an adult of sound mind

(c) All matters disputes or controversies relating to the medical or dental services rendered by the doctors of medicine or doctors of dental surgery or any questions involving professional ethics shall be considered acted upon disposed of and determined only by doctors of medicine or doctors of dental surgery as selected in a manner prescribed in the by-laws of the nonprofit medical and dental service corporations

Section 9 Determination of Income Status Rights of Persons of Low Income (a) The following shall be a person or persons of low income and a person or persons of over-income eligible for the benefits of and under this act

Persons of low income

(1) In the case of persons without dependents

Any person in receipt of an income for the preceding twenty-five weeks averaging not more than thirty dollars weekly

(2) In the case of persons with one dependent

Any person in receipt of an income that together with the income of the dependent averaged during the preceding twenty-five weeks not more than forty-five dollars weekly

(3) In the case of persons with more than one dependent

Any person in receipt of an income that together with the incomes of all his income earning dependents averaged during the preceding twenty-five weeks not more than sixty dollars weekly

Persons of over-income

(1) All persons not persons of low income shall be persons of over-income

(b) The nonprofit medical and dental service corporation shall determine whether an applicant for subscription is in receipt of a low income or over-income within the meaning of this act and after the application has been approved the subscriber shall be deemed to be of low income or over-income until it has been redetermined by the corporation which redetermination may be made at any time

(c) The nonprofit medical and dental service corporation in determining the income status of any person may through its officers and agents examine under oath any applicant claiming a low income status and any other person consenting thereto who is believed to have material knowledge concerning the status of the applicant Its determination shall be final

(d) Every person of low income and every person of over-income residing in the area served by a nonprofit medical and dental service corporation shall be entitled

upon complying with regulations adopted by that corporation and the payment of such initiation and other fees as authorized by the Insurance Department to the services of any doctor of medicine or doctor of dental surgery registered with the corporation under such terms and conditions as are customary in medical or dental services in the community but only within the limits of services for which such doctors of medicine or doctors of dental surgery are registered Provided however That a nonprofit medical and dental service corporation may for cause refuse to enter into contractual relations with an applicant and may for cause after due notice and hearing rescind any contract that it has entered into with any subscriber and refund any unearned portion of any fees paid and may on default in payment of the agreed dues fees payments or any charges by subscriber or someone on his behalf discontinue service without notice and hearing after having notified a subscriber of his default and having allowed him two days to procure such services Provided further however That persons of over-income shall be liable to doctors of medicine or doctors of dental surgery registered with the corporation rendering services to such persons of over-income for the full amount of the usual fees and charges for such services made by such doctors of medicine or doctors of dental surgery and any payment made by the corporation to doctors of medicine or doctors of dental surgery for services rendered to subscribers of over-income shall be a payment to the extent agreed upon between the corporation and the doctors of medicine or doctors of dental surgery on account of the full sum due the doctors of medicine or doctors of dental surgery for rendering such services

(e) No contract by or on behalf of any nonprofit medical and dental service corporation shall provide for the payment of any cash or other material benefit by that corporation to a subscriber on account of illness or injury nor be in any way related to the payment of any such benefit by any other agency

Section 10 Limitation of Subscriber's Contract A nonprofit medical and dental service corporation may as a condition precedent to entering into a contract with an applicant or group of applicants for medical or dental service

(a) require a physical examination of the applicant and of each of his dependents if any and proof of his or their substantial freedom from any disease or condition requiring immediate medical or dental service or likely to require it within the next twelve (12) months before a contract becomes effective or

(b) require a waiting period after a contract is entered into and before the subscriber is entitled to medical or dental service or

(c) require that the subscriber or someone on his behalf shall pay the stated fee or fees for medical or dental services in the case of any given illness or injury or other condition requiring medical or dental service before becoming entitled to treatment under the terms of the contract

Section 11 Relief Officers May Subscribe for Service Every department commission officer and other agency of the State or of any political subdivision thereof who is charged by law with the duty of providing medical or dental services within the meaning of this act for persons unable to provide it at their own expense or to procure it through persons to whose support and assistance they are by law entitled is hereby empowered in the exercise of his authority to provide such service if in his judgment it is in the public interest so to do through a subscription or subscriptions paid for from any lawfully available public funds with any nonprofit medical and dental service corporation on behalf of any person or persons entitled to such relief

Section 12 Contracts Subject to Supervision of Insurance Department All rates charged subscribers or groups of subscribers by any nonprofit medical and dental service corporation and the form and content of all contracts between any such corporation and its subscribers or groups

of subscribers all methods and rates of payment by such corporation to doctors of medicine or doctors of dental surgery serving its subscribers all acquisition costs in procuring subscribers the reserves to be maintained by such corporation and all contracts entered into by any such corporation and extending over a period of more than twelve (12) months or calling for the expenditure by the corporation of any amount in excess of twenty (20) per cent of its reserves shall be approved by the Insurance Department before they become effective

Application for such approval shall be made to the Insurance Department in such form and shall contain such information as the department requires Within thirty (30) days after the filing of such application the department shall notify the applicant in writing whether the application has been approved or rejected by notice served on the president secretary or some other responsible officer of the corporation or addressed to the corporation at its principal place of business by registered mail with return receipt requested Within thirty days after the receipt of a notice rejecting any such application the corporation may petition the court for a rule to show cause why the action of the department should not be set aside and the application approved The court is hereby given jurisdiction and authority to entertain and determine any such proceeding

**Section 13 Financial Report** Every nonprofit medical and dental service corporation shall on or before the first day of March of every year file with the Insurance Department a statement verified by at least two of the principal officers of the corporation summarizing its financial activities during the calendar year immediately preceding and showing its financial condition at the close of business on the thirty-first day of December of that year Such statement shall be in such form and shall contain such matter as the Insurance Department prescribes The financial affairs and status of every such corporation shall be examined by the Insurance Commissioner and his agents not less frequently than once in every three years and for that purpose the Insurance Commissioner and his agents shall be entitled to the aid and cooperation of the officers and employees of the corporation and shall have convenient access to all books records papers and documents that relate to the business of the corporation They shall have authority to examine the officers agents employees and subscribers for the medical or dental services of the corporation and all cooperating doctors of medicine or doctors of dental surgery registered with the corporation and all other persons having or having had substantial part in the work of the corporation in relation to its affairs transactions and financial condition Such examinations shall be made at such times and with such frequency as the Insurance Commissioner may determine The Insurance Commissioner may at any time without making such examination call on any such corporation for a written report authenticated by at least two of its principal officers concerning the financial affairs and status of the corporation

**Section 14 Investment** Any law to the contrary notwithstanding funds of any nonprofit medical or dental service corporation equal to its reserves shall be invested in compliance with the requirements of law for the investment of the capital reserves of life insurance companies The funds of any such corporation equal to its surplus shall be invested in compliance with the requirements of law for the investment of the surplus of life insurance companies

**Section 15 Exemption from Taxation** Every nonprofit medical and dental service corporation is hereby declared to be a charitable and benevolent institution and all its income funds investments and property shall be exempt from all taxation of the State or its political subdivisions

**Section 16 Medical and Dental Service Report** Every nonprofit medical and dental service corporation shall on or before the first day of March of every year file with the Department of Health a report of its activities other than its financial activities during the calendar year

immediately preceding Every such report shall be authenticated by at least two of the principal officers of the corporation and shall be in such form and contain such matter as the Department of Health prescribes The Department of Health is hereby authorized to inquire into the activities of the nonprofit medical and dental service corporations and to determine whether the corporation is providing adequate medical or dental services to its subscribers in accordance with the best medical or dental practice in the community The Secretary of Health and his agents shall be entitled to the aid and cooperation of the officers and employees of the corporation and shall have convenient access to all books records papers and documents that relate to the business of the corporation They shall have authority to examine the officers agents employees and subscribers for the service of the corporation and all doctors of medicine or doctors of dental surgery registered with the corporation and all other persons having or having had substantial part in the work of the corporation in relation to the affairs transactions and condition of the corporation other than financial Examinations may be made at such times and with such frequency as the Secretary of Health may determine The Secretary of Health may at any time without making any such examination call on any such corporation for a written report authenticated by at least two of its principal officers concerning the affairs of the corporation other than its financial affairs In the event the Secretary of Health finds that the nonprofit medical and dental service corporation does not provide adequate medical or dental services to its subscribers in accordance with the best medical or dental practice in the community the Secretary of Health may notify the corporation of his findings and order the corporation in specific terms to extend or improve the medical or dental services furnished by the corporation Within thirty (30) days after receipt of such notice from the Secretary of Health the corporation may petition the court to show cause why the action of the Secretary of Health should not be set aside or modified The court is given jurisdiction and authority to entertain and determine any such proceeding and controversy

**Section 17 Penalties** Any person partnership association common law trust or corporation that violates any provision of this act or of any order of the Department of Health or of the Insurance Department made pursuant thereto any person who hinders or prevents the Department of Health or the Insurance Department in the discharge of any duty imposed on it by this act any person who fraudulently procures or attempts to procure any benefit under this act and any person who wilfully makes any false statement in any proceeding or report under the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars (\$1000) or to be imprisoned for not more than six (6) months or both in the discretion of the court Any act or default by any corporation association or common law trust in violation of any provision of the act or of any order of the department made pursuant thereto shall be deemed to be the act or default of its officers or directors who participated in authorizing or effecting such act or default or who knowingly permitted it

**Section 18 Enforcement** When necessary to effect the purposes of this act in addition to all other remedies in law or equity the Insurance Commissioner and the Secretary of Health either or both of them may be and are hereby authorized to petition the court for a mandamus or injunction to prevent any violation of the provisions of this act or the continuance of any such violation or to enforce compliance herewith The court is hereby vested with authority to entertain jurisdiction on any such petition to determine the cause and to issue such process as may be necessary to accomplish the purposes of this act

**Section 19 Constitutional Construction and Severability** It is hereby declared to be the purpose and intent of this act and the policy of the Legislature to authorize qualified persons to provide adequate medical or dental services for

residents of this State who are unable to provide such services for themselves or their dependents at their own cost without depriving themselves or their dependents of such necessities of life as food clothing and shelter and provided persons of over-income with the limited medical or dental service benefits hereinbefore set forth At the same time it is the purpose and intent of this act and the policy of the Legislature to maintain the standing and promote the progress of the science and art of medicine in this State The courts of this State are hereby directed to construe this act liberally in order to accomplish those ends

The provisions of this act shall be severable and if any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid the constitutionality of the remainder of the act and the applicability thereof to other persons and circumstances shall not be affected thereby It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

[Section 20 Limitation Nothing in this act shall be construed so as to modify vary or repeal any law now in force relating to the practice of medicine and surgery excepting only as they are inconsistent with the provisions of this act relating to nonprofit medical service corporations

Section 21 Effective Date This act shall take effect immediately upon final enactment]

Section 2 The provisions of this act reenacting and amending act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rese,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanske,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,

Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 835, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by making further provisions relating to nonprofit medical service corporations by extending the provisions of said act relating to the furnishing of medical services by nonprofit medical service corporations so as to include the furnishing of certain dental services to subscribers and their dependents and by providing that the articles of incorporation of existing nonprofit medical services corporations are amended by the provisions of this act so as to authorize the furnishing of such dental services by doctors of dental surgery

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four and subsections (a) and (b) of section two hundred nineteen of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be

rendered by this act imposing penalties repealing certain acts and parts of acts relating to corporations" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 356) are hereby further amended to read as follows

Section 4 Scope of Act This act does not relate to does not affect and does not apply to

(1) Cooperative associations whether for profit or not for profit

(2) Beneficial benevolent fraternal or fraternal benefit societies having a lodge system and a representative form of government or transacting any type of insurance whatsoever

(3) Any corporation whatsoever organized for any purpose or purposes involving pecuniary profit to its members or shareholders

(4) Any corporation which by the laws of this Commonwealth is subject to the supervision of the Department of Banking the Insurance Department the Pennsylvania Public Utility Commission or the Water and Power Resources Board Provided however That corporations subject by law to the limited supervision of the Insurance Department may be incorporated under and in accordance with the provisions of this act for the purpose of establishing maintaining and operating a nonprofit hospital plan whereby hospitalization may be provided to subscribers of such plan by any hospital with which such corporations have a contract for such hospitalization or for the purpose of establishing maintaining and operating a nonprofit medical and dental service plan whereby medical or dental services may be provided through any doctor of medicine or any doctor of dental surgery in his capacity as a staff member of an accredited hospital to subscribers of low income and over-income and their dependents

Section 219 Special Procedure for Incorporation of Non-profit Medical and Dental Service Corporations

(a) Nine or more natural persons of full age and of either sex married or single all of whom are residents of the Commonwealth and citizens of the United States Provided however That a majority of said persons are doctors of medicine may form a nonprofit corporation under the provisions of this act having for its purpose the establishing maintaining and operating of a nonprofit medical and dental service plan whereby medical or dental services may be provided to persons of low income and persons of over-income and their dependents who shall be determined as follows

Persons of low income shall be

(1) In the case of persons without dependents

Any person in receipt of an income for the preceding twenty-five weeks averaging not more than thirty dollars weekly

(2) In the case of persons with one dependent

Any person in receipt of an income that together with the income of the dependent averaged during the preceding twenty-five weeks not more than forty-five dollars weekly

(3) In the case of persons with more than one dependent

Any person in receipt of an income that together with the incomes of all his income earning dependents averaged during the preceding twenty-five weeks not more than sixty dollars weekly

Persons of over-income shall be

(1) All persons not persons of low income shall be persons of over-income

(b) For the purpose of this act only and not for the purposes of defining medical practice or dental practice as such the terms stated below have the meanings assigned to them respectively [unless the context otherwise requires]

"Medical services" means the general and usual services rendered and care administered by doctors of medicine as defined in the Medical Practice Act "Dental services" means the general and usual services rendered by doctors of dental surgery serving in the capacity of staff members of accredited hospitals provided such services are rendered in an accredited hospital

"Persons with dependents" means any person who furnishes other persons with their chief support whether or not such dependent person is related to or living with him

"Subscribers of low income" means persons of low income who subscribe to a nonprofit medical and dental service corporation plan

"Subscribers of over-income" means persons of over-income who subscribe to a nonprofit medical and dental service corporation plan

"Department of Health" means the Department of Health of the Commonwealth

Section 2 Sections three hundred seventeen five hundred ten and one thousand five of said act as added by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1121) are hereby amended to read as follows

Section 317 Requirements of Nonprofit Medical and Dental Service Corporations No nonprofit medical and dental service corporation shall be incorporated under this act unless it has set up a minimum reserve of twenty-five thousand dollars for the exclusive purpose of meeting the contractual obligations to its subscribers Provided however That all or any part of said twenty-five thousand dollars may be in the form of borrowed money to be repaid in whole or in part from surplus only when authorized by two-thirds of the duly constituted members of the board of directors of such corporation and approved by the Insurance Commissioner of the Commonwealth

Section 510 Board of Directors of Nonprofit Medical and Dental Service Corporations The business of every nonprofit medical and dental service corporation shall be managed by at least nine natural persons of full age and of either sex all of whom shall be residents of the Commonwealth and citizens of the United States Provided however That a majority of said persons shall at all times be doctors of medicine

Section 1005 Dissolution No nonprofit medical and dental service corporation subject to the provisions of this act and its amendments shall be dissolved in the manner provided by law except with the prior approval of the Insurance Department No court of common pleas shall enter a decree dissolving such a corporation unless and until a certificate of approval by the Insurance Department is filed with such court Any dissolution or liquidation of a corporation subject to the provisions of this act shall be under the supervision of the Insurance Commissioner who shall have all powers with respect thereto granted to him under existing laws governing the dissolution or liquidation of insurance companies

Section 3 The provisions of this act authorizing nonprofit medical and dental service corporations to provide medical services by doctors of medicine or dental services by doctors of dental surgery to subscribers of low income and their dependents and to subscribers of over-income and other dependents shall be applicable to any nonprofit medical service corporation heretofore incorporated under the provisions of the Nonprofit Corporation Law of one thousand nine hundred thirty-three (P. L. 289) and its amendments and the articles of incorporation of any such corporation heretofore formed are hereby amended by the provisions of this act so as to authorize any such corporation to furnish dental services by doctors of dental surgery

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,  
Amarando,  
Andrews,  
Bane,  
Barkdoll,

Frost,  
Gaffney,  
Gallagher,  
George,  
Gibson,

Loftus,  
Lovett,  
Madigan,  
McCormack,  
McCullough,

Rose,  
Rosen,  
Rovanssek,  
Royer,  
Sarraf,

Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Fenster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg.
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 853, as follows:

An Act to amend section seven hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the leasing of school property for any educational purpose and validating prior leases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 775 Use of School Buildings for Other Purposes

Arrangements with City Borough or Township The board of school directors of any district may permit the use of its school grounds and buildings for social recreation and other proper purposes under such rules and regulations as the board may adopt The board shall make such arrangements with any city borough or township authorities for the improvement care protection and maintenance of school buildings and grounds for school park play or other recreation purposes as it may see proper Any board of school directors may make such arrangements as it may see proper with any officials or individuals for the temporary use of school property for schools playgrounds social recreation or other proper educational purposes primaries and elections

The board of school directors of any school district shall have power and authority to lease any part of their respective school building equipment and premises [to any university or college of the Commonwealth approved by the State Council of Education for the purpose of conducting and maintaining therein university or collegiate courses] or any vacant building for any educational purpose Such leases shall be subject to the terms and regulations which may be adopted by the board of school directors and except in districts of the first class shall be further subject to the approval of the State Council of Education

Section 2 All leases of any school district property heretofore entered into for any educational purpose are hereby ratified and made valid to the same extent as if they had been made subsequent to the effective date of this act

Section 3 The provisions of this act as well as the provisions of the section amended thereby shall become effective on the first day of July one thousand nine hundred forty-nine

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,

Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

### BILLS ON THIRD READING

The SPEAKER. The Chair directs the attention of the Members to an error on the calendar. Senate Bill No. 928, Printer's No. 708 should be on the third reading calendar, not on the calendar of bills on final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 928, as follows:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further defining "Judgment" requiring additional information in accident reports providing for the determination of security by the secretary providing for proof of financial responsibility in additional cases providing penalties for furnishing false information and changing effective date of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Judgment" in section one and sections four five subsection (b) of section thirteen and clause (c) of section fifteen of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" are hereby amended to read as follows

Section 1 Definitions The following words and phrases when used in this act shall for the purposes of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

\* \* \* \* \*

"Judgment" Any judgment in excess of five dollars and

thirty-three cents (\$5.33) which shall have become final by expiration without appeal of the time within which an appeal might have been perfected or by final affirmation on appeal rendered by a court of competent jurisdiction of any state or of the United States upon a cause of action arising out of the ownership maintenance or use of any motor vehicle for damages including damages for care and loss of services because of bodily injury to or death of any person or for damages because of injury to or destruction of property including the loss of use thereof or upon a cause of action on an agreement of settlement for such damages

Section 4 Additional Information Required in Accident Reports Effect of failure to Report Accidents In addition to the information required by "The Vehicle Code" in the report of a motor vehicle accident such report shall contain information to enable the secretary to determine whether the requirements for the deposit of security under section five of this act are inapplicable by reason of the existence of insurance or other exceptions specified in this act

The secretary shall suspend the license [of] or any nonresident's operating privilege of any person who wilfully fails refuses or neglects to make report of a [traffic] motor vehicle accident as required by the laws of this State until such report has been filed and for such further period as may be determined in accordance with the provisions of section five of this act

Section 5 Security Required [Following an Accident] Unless Evidence of Insurance When Security Determined Suspension Exceptions [The secretary shall within sixty days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death or damage to the property of any one person in excess of fifty dollars (\$50.00) suspend the license of each operator and all registrations of each owner of a motor vehicle in any manner involved in such accident and if such operator is a nonresident the privilege of operating a motor vehicle within this State and if such owner is a nonresident the privilege of the use within this State of any motor vehicle owned by him unless such operator or owner or both shall deposit security in a sum which shall be sufficient in the judgment of the secretary to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against such operator or owner provided notice of such suspension shall be sent by the secretary to such operator and owner not less than ten days prior to the effective date of such suspension and shall state the amount required as security]

(a) If twenty (20) days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death or damage to the property of any one person in excess of one hundred dollars (\$100.00) the secretary does not have on file evidence satisfactory to him that the person who would otherwise be required to file security under subsection (b) of this section has (1) been released from liability or (2) has been finally adjudicated not to be liable or (3) has executed a warrant for confession of judgment payable in such installments as the parties have agreed to or (4) has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident the secretary shall determine the amount of security which in his judgment shall be sufficient to satisfy any judgment or judgments that may be recovered against each operator or owner for damages resulting from such accident

(b) The secretary shall within sixty (60) days after the receipt of such report of a motor vehicle accident suspend the license of each operator and all registrations of each owner of a motor vehicle in any manner involved in such accident and if such operator is a nonresident the privilege of operating a motor vehicle within this State and if such owner is a nonresident the privilege of the use within this State of any motor vehicle owned by him unless such operator or owner or both shall deposit

security in the sum so determined by the secretary. Notice of such suspension shall be sent by the secretary to such operator and owner not less than ten (10) days prior to the effective date of such suspension and shall state the amount required as security. Where erroneous information is given the secretary with respect to the matters set forth in clauses (1) (2) or (3) of subsection (c) of this section he shall take appropriate action as hereinbefore provided within sixty (60) days after receipt by him of correct information with respect to such matters.

(c) This section shall not apply under the conditions stated in section six or to any of the following:

(1) To such operator or owner if such owner had in effect at the time of such accident an automobile liability policy with respect to the motor vehicle involved in such accident.

(2) To such operator if not the owner of such motor vehicle if there was in effect at the time of such accident an automobile liability policy or bond with respect to his operation of motor vehicles not owned by him.

(3) To such operator or owner if the liability of such operator or owner for damages resulting from such accident is in the judgment of the secretary covered by any other form of liability insurance policy or bond or

(4) To any person qualifying as a self-insurer under section thirty-four.

(d) No such policy or bond shall be effective under this section unless issued by an insurance company or surety company authorized to do business in this State except that if such motor vehicle was not registered in this State or was a motor vehicle which was registered elsewhere than in this State at the effective date of the policy or bond or the most recent renewal thereof such policy or bond shall not be effective under this section unless the insurance company or surety company if not authorized to do business in this State shall execute a power of attorney authorizing the secretary to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident provided however every such policy or bond is subject if the accident has resulted in bodily injury or death to a limit exclusive of interest and costs of not less than five thousand dollars (\$5000.00) because of bodily injury to or death of one person in any one accident and subject to said limit for one person to a limit of not less than ten thousand dollars (\$10,000.00) because of bodily injury to or death of two or more persons in any one accident and if the accident has resulted in injury to or destruction of property to a limit of not less than one thousand dollars (\$1000.00) because of injury to or destruction of property of others in any one accident.

Upon receipt of notice of such accident the insurance company or surety company which issued such policy or bond shall furnish for filing with the secretary a written notice that such policy or bond was in effect at the time of such accident.

Section 13 Suspension for Nonpayment of Judgments Exceptions

\* \* \* \* \*

(b) If the judgment creditor consents in writing in such form as the secretary may prescribe that the judgment debtor be allowed license and registration [of] or non-resident's operating privilege the same may be allowed by the secretary in his discretion for six months from the date of such consent and thereafter until such consent is revoked in writing notwithstanding default in the payment of such judgment or of any instalments thereof prescribed in section sixteen provided the judgment debtor furnishes proof of financial responsibility.

Section 15 Payments Sufficient to Satisfy Requirements Judgments herein referred to shall for the purpose of this act only be deemed satisfied

\* \* \* \* \*

(c) When one thousand dollars (\$1000.00) has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as result of any one accident

Provided however That payments made in settlement of any claims because of bodily injury death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section.

Section 2 Section seventeen of said act is hereby amended by changing the title and by adding at the end thereof a new subsection to read as follows:

Section 17 Proof Required upon Certain Convictions or Violations

\* \* \* \* \*

(e) Whenever the secretary shall in the exercise of his discretion revoke or suspend the operator's license of a resident or the operating privilege of a nonresident or whenever the secretary has the right in his discretion to revoke or suspend an operator's license of a nonresident or the operating privilege of a nonresident but is disposed in the exercise of his discretion not to do so he may require the holder of the license or operating privilege to furnish proof of financial responsibility before such license or operating privilege shall be renewed or reinstated or continued.

Section 3 Section thirty subsection (c) of section thirty-two and section forty of said act are hereby amended to read as follows:

Section 30 Transfer of Registration to Defeat Purpose of Act Prohibited. If an owner's registration has been suspended hereunder such registration shall not be transferred nor the motor vehicle in respect of which such registration was issued registered in any other name until the [commissioner] secretary is satisfied that such transfer of registration is purposed in good faith and not for the purpose or with the effect of defeating the purposes of this act. Nothing in this section shall be held to apply to or affect the registration of any motor vehicle sold by a person who pursuant to the terms or conditions of any written instrument giving a right of repossession has exercised such right and has repossessed such motor vehicle from a person whose registration has been suspended under the provisions of this act. This act shall not in any wise affect the rights of any conditional vendor chattel mortgagee or lessor of a motor vehicle registered in the name of another as owner who becomes subject to the provisions of this act.

Section 32 Other violations Penalties

\* \* \* \* \*

(c) Any person who gives information required by section four of this act in a report of a motor vehicle accident knowing or having reason to believe that such information is false or who shall forge or without authority sign any [notice provided for under section five that a policy or bond is in effect or any] evidence of proof of financial responsibility or who files or offers for filing any such notice or evidence of proof knowing or having reason to believe that it is forged or signed without authority shall be fined not more than one thousand dollars (\$1000.00) or imprisoned not more than one (1) year or both in the discretion of the court.

Section 40 The act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 553) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" [as last amended by the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 855) is] and its reenactments and amendments are hereby repealed except with respect to any accident or judgment arising therefrom or violation of the motor vehicle laws of this State occurring prior to the effective date of this act.

All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 4 Section forty-one of said act as amended by the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1247) is hereby further amended to read as follows

Section 41 The provisions of this act shall become effective the first day of February one thousand nine hundred fifty

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembockl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Brth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Pollen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 33 as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating reimbursement by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (5) and (6) of Section two thousand five hundred one and sections two thousand five hundred two two thousand five hundred three and two thousand five hundred fifteen of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 2501 Definitions For the purposes of this article the following terms shall have the following meanings

\* \* \* \* \*

(5) "Maximum Subsidy" shall designate the maximum amount per teaching unit which may be payable by the Commonwealth to any one school district or vocational school district under the provisions of this act The maximum subsidy shall be for the school year 1948-1949 two thousand four hundred fifty dollars [\$2400] (\$2450) for the school year 1949-1950 [two thousand five hundred dollars (\$2500)] three thousand three hundred fifty dollars (\$3350) and for each school year thereafter [two thousand six hundred dollars (\$2600)] three thousand four hundred fifty dollars (\$3450) provided that in the event that Federal moneys shall at any time be made available to the Commonwealth for school purposes the superintendent of public instruction may from time to time increase the amount of the applicable maximum subsidy to school districts but not to vocational school districts to an extent necessary to absorb the amount of any allocation of Federal moneys so that "maximum subsidy" as herein above limited shall always have reference to payments made out of appropriations of Commonwealth moneys irrespective of any available Federal moneys

(6) "Standard Reimbursement Fraction" School districts' or vocational school districts' standard reimbursement fraction shall be computed annually in the months of December by the Department of Public Instruction

In the case of a school district its standard reimbursement fraction shall be computed for the school year 1948-1949 by subtracting from two thousand four hundred fifty dollars [\$2400] (\$2450) an amount determined by multiplying the school district's assessed valuation per district teaching unit by six-one thousandths (.006) and dividing the difference so obtained by two thousand four hundred fifty dollars [\$2400] (\$2450) for the school year 1949-1950 by subtracting from [two thousand five hundred dollars (\$2,500)] three thousand three hundred fifty dollars (\$3350) an amount determined by multiplying the school district's [assessed] valuation per district teaching unit as determined by the State Tax Equalization Board by [six] four-one thousandths [(0.006)] (.004) and dividing the difference so obtained by [two thousand five hundred dollars (\$2500)] three thousand three hundred fifty dollars (\$3350) and for every school year thereafter by subtracting from [two thousand six hundred dollars (\$2600)] three thousand four hundred fifty dollars (\$3450) an amount determined by multiplying the school district's [assessed] valuation per district teaching unit as determined by the State Tax Equalization Board by [six] four-one thousandths [(0.006)] (.004) and dividing the difference so obtained by [two thousand six hundred dollars (\$2600)] three thousand four hundred fifty dollars (\$3450)

[Until such time as valuations are furnished by the

State Tax Equalization Board a] a school district's assessed valuation to be used for purposes of computing the standard reimbursement fraction for the school year 1948-1949 shall be the assessed valuation of the district's taxable real property as determined for the preceding year for county tax purposes [provided that if the assessed valuation as determined for county purposes does not adequately represent the market values of the taxable property the State Council of Education may ascertain such market values and base the reimbursement to any one school district upon the market values ascertained by the State Council of Education when valuations are furnished by the State Tax Equalization Board] for the school year 1949-1950 and for every school year thereafter each district's [assessed] valuation to be used for purposes of computing its standard reimbursement fraction shall be the valuation placed upon its taxable real property by the State Tax Equalization Board

In the case of a vocational school district its standard reimbursement fraction shall be computed for the school year 1948-1949 by subtracting from two thousand four hundred fifty dollars [(\$2400)] (\$2450) an amount determined by multiplying the assessed valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by two thousand four hundred fifty dollars [\$2400] (\$2450) for the school year 1949-1950 by subtracting from [two thousand five hundred dollars (\$2500)] three thousand three hundred fifty dollars (\$3350) an amount determined by multiplying the school district's [assessed] valuation per district teaching unit as determined by the State Tax Equalization Board by [three] two-one thousandths [(0.003)] (.002) and dividing the difference so obtained by [two thousand five hundred dollars (\$2500)] three thousand three hundred fifty dollars (\$3350) and for every school year thereafter by subtracting from [two thousand six hundred dollars (\$2600)] three thousand four hundred fifty dollars (\$3450) an amount determined by multiplying the school district's [assessed] valuation per district teaching unit as determined by the State Tax Equalization Board by [three] two-one thousandths [(0.003)] (.002) and dividing the difference so obtained by [two thousand five hundred dollars (\$2500)] three thousand three hundred fifty dollars (\$3350) and for every school year thereafter by subtracting from [two thousand six hundred dollars (\$2600)] three thousand four hundred fifty dollars (\$3450) an amount determined by multiplying the school districts [assessed] valuation per district teaching unit as determined by the State Tax Equalization Board by [three] two-one thousandths [(0.003)] (.002) and dividing the difference so obtained by [two thousand six hundred dollars (\$2600)] three thousand four hundred fifty dollars (\$3450)

A school district's or vocational school district's number of district teaching units for purposes of determination of the standard reimbursement fraction shall be obtained as follows (1) divide by twenty-two (22) the number of district pupils in average daily membership in a public high school during the preceding school term (2) divide by thirty (30) the number of district pupils in average daily membership in a public elementary school during the preceding school term and (3) add the quotients obtained under (1) and (2) above except when the pupil-teacher ratio exceeds thirty-three (33) in which case the sum obtained under (1) and (2) above shall be multiplied by thirty-three (33) and the product so obtained shall be divided by the pupil-teacher ratio of the district. No school district or vocational school district shall be credited with less than one teaching unit or be assigned a reimbursement fraction lower in value than the minimum subsidy divided by the maximum subsidy. All one-room schools operated in accordance with the provisions of this act shall if their operation is approved by the State Council of Education be credited with at least one teaching unit. The State Council of Education shall withhold its approval of any one-room one teacher school unless (1) topography distance or condition of roads are such as to make transportation of pupils impractical or (2) it is impossible to accommodate

pupils in existing graded schools in the district or other districts or (3) the district is financially unable to construct a consolidated school

Section 2502 Payments on account of instruction Every school district and every vocational school district shall be paid by the Commonwealth for the school year 1948-1949 on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by two thousand four hundred fifty dollars (\$2450) and by the district's standard reimbursement fraction

Every school district and every vocational school district shall be paid by the Commonwealth for the school year 1949-1950 on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by [two thousand five hundred dollars (\$2500)] three thousand three hundred fifty dollars (\$3350) and by the district's standard reimbursement fraction provided that the amount of payment to be made by the Commonwealth to any school district during the school year 1950-1951 for the school year 1949-1950 on account of the instruction of pupils under the provisions of this section shall not be less than the amount paid to the district during the school year 1949-1950 on account of the instruction of pupils

Every school district and every vocational school district shall be paid by the Commonwealth for the school year 1950-1951 and for every school year thereafter on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by [two thousand six hundred dollars (\$2600)] three thousand four hundred fifty dollars (\$3450) and by the district's standard reimbursement fraction

Notwithstanding the foregoing provisions of this section when because of sparsity of population road or climatic conditions or lack of other available high school facilities the State Council of Education has approved the continued operation of a small high school the district shall receive an amount based on a number of teaching units equal to the number of teachers approved by the State Council of Education as being required to provide a satisfactory educational program in such school provided that the number of teachers employed is not less than the number approved

For no year shall any school district or vocational school district receive less than the minimum subsidy per teaching unit

Section 2503 Payments on account of tuition (a) Each school district regardless of classification sending pupils to another school district or vocational school district or to a joint high school approved by the Department of Public Instruction shall be paid by the Commonwealth for every school year on account of tuition an amount to be determined by multiplying the sum of "overhead cost per pupil" and "instruction cost per elementary pupil" or "instruction cost per high school pupil" as the case may be as defined in section two thousand five hundred sixty-one of this act or in the case of district pupils attending a school not located in this Commonwealth on the basis of a reasonable tuition charge per pupil to be determined by the Superintendent of Public Instruction (i) by the number of district pupils except district pupils attending a high school operated by a joint board of which the district of residence is a member sent to schools of other districts or to a joint school and (ii) by the districts standard reimbursement fraction and (iii) [by] for tuition up to and including the school year 1948-1949 by seventy-five-one-hundredths (.75) and

thereafter by eighty-five-one-hundredths (.85) and (4) subtracting from the amount so obtained the per pupil state appropriation paid to the district where the pupil attends school multiplied by the number of pupils

(b) Each school district regardless of classification which is a member of a joint board which operates a joint high school sending pupils to such joint high school approved by the Department of Public Instruction shall be paid by the Commonwealth for the school year 1948-1949 and for every school year thereafter on account of the instruction of such pupils an amount to be determined by multiplying the sum of "overhead cost per pupil" and "Instruction cost per high school pupil" as defined in section two thousand five hundred sixty-one of this act (I) by the number of district pupils sent to such joint high school and (II) by the district's standard reimbursement fraction

Section 2515 Ascertainment of Amounts Required Apportionment The Superintendent of Public Instruction shall ascertain and determine the amount of funds required to meet each of the four payments to school districts and vocational school districts which become due and payable within each fiscal biennium on the data and material contained in the certificates which school districts and vocational school districts are required to file with the superintendent immediately preceding the beginning of each biennium The superintendent shall apportion and allot the same to and among the respective districts The amount paid to any district within any biennium shall be computed on the data and information contained in the certificates required to be filed each year as herein provided [When valuations are furnished by the State Tax Equalization Board each] Each district's valuation to be used for purposes of computing its standard reimbursement fraction for the school year 1949-1950 and thereafter shall be the valuation placed upon its taxable real property by the State Tax Equalization Board

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

- YEAS—207
- |                |                |               |               |
|----------------|----------------|---------------|---------------|
| Altshuler,     | Frost,         | Loftus,       | Rose,         |
| Amarando,      | Gaffney,       | Lovett,       | Rosen,        |
| Andrews,       | Gallagher,     | Madigan,      | Rovanssek,    |
| Bane,          | George,        | McCormack,    | Royer,        |
| Barkdoll,      | Gibson,        | McCullough,   | Sarraf,       |
| Baumunk,       | Glembocki,     | McGee,        | Sax,          |
| Beaver,        | Good,          | McKinney,     | Scanlon,      |
| Bednarek,      | Goodling,      | McMillen,     | Schmidt,      |
| Blair,         | Graybill,      | McNally,      | Schuster,     |
| Bloom,         | Green,         | Mihm,         | Scott,        |
| Boles,         | Greenwood,     | Mikula,       | Seyler,       |
| Bomberger,     | Greer,         | Miller,       | Shoemaker,    |
| Boorse,        | Guarnieri,     | Milliken,     | Smith, C. C., |
| Bower,         | Guthrie,       | Mills,        | Smith, W. B., |
| Brandon,       | Hagerty,       | Mintess,      | Snider,       |
| Brelsch,       | Hall,          | Monroe,       | Sollenberger, |
| Breth,         | Hamilton,      | Moore, C. E., | Spencer,      |
| Brice,         | Harney,        | Moore, H. A., | Stank,        |
| Brown, H. S.,  | Harris,        | Moran,        | Sternberg,    |
| Brown, Wm. E., | Haudenschild,  | Munley,       | Stimmel,      |
| Brunner,       | Heatherington, | Murray,       | Stuart,       |
| Bucchin,       | Helms,         | Musto,        | Swope,        |
| Cadwalader,    | Herman,        | Nagel,        | Tahl,         |
| Clapper,       | Hersch,        | Najaka,       | Taylor,       |
| Clendening,    | Hewitt,        | Needham,      | Thompson,     |
| Cochran,       | Hocker,        | Neff,         | Tompkins,     |
| Cole,          | Hoffman,       | Nixon,        | Toomey,       |
| Coleman,       | Hoggard,       | O'Dare,       | Varallo,      |
| Conway,        | Hunter,        | O'Donnell,    | Varnier,      |
| Cooper,        | Jenkins,       | Olsen,        | Verona,       |
| Costa,         | Jennings,      | Orban,        | Wachhaus,     |

- |            |               |                    |             |
|------------|---------------|--------------------|-------------|
| Dalrymple, | Jim,          | Fenglass,          | Wagner,     |
| DeLong,    | Johnson,      | Pentrack,          | Wargo,      |
| Dennison,  | Jones, G. E., | Peta,              | Waterhouse, |
| Deputy,    | Jones, J. M., | Petrosky,          | Watkins,    |
| Dougherty, | Jump,         | Pettigrew,         | Weidner,    |
| Driscoll,  | Kamyk,        | Plaff,             | Weiss,      |
| Duffy,     | Keller,       | Polen,             | Welsh,      |
| Dye,       | Kemp,         | Posta,             | Wescott,    |
| Elder,     | Kent,         | Powers,            | Westrick,   |
| Erb,       | Kirley,       | Price, H. W., Jr., | Wheeler,    |
| Evans,     | Kline,        | Price, B. A.,      | Williams,   |
| Ewing,     | Kohl,         | Probert,           | Wood,       |
| Felton,    | Kolankiewicz, | Readinger,         | Worley,     |
| Ferster,   | Kondrath,     | Reagan,            | Yaffe,      |
| Filo,      | Kratz,        | Reese,             | Yeakel,     |
| Firmstone, | Kurtz,        | Reldenbach,        | Yester,     |
| Flack,     | Lederer,      | Relly, J. M.,      | Yetzer,     |
| Fleming,   | Lee,          | Reynolds,          | Young,      |
| Floyd,     | Lelsey,       | Riley, R. L.,      | Ziegler,    |
| Fox,       | Leonard,      | Robbins,           | Sorg,       |
| Frank,     | Limper,       | Robertson,         | Speaker     |

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 72, as follows:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the maximum aggregate number of officers and men in the State Police Force

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and

administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 94) is hereby further amended to read as follows

Section 205 Pennsylvania State Police The Pennsylvania State Police shall consist of a Commissioner a Deputy Commissioner the State police force and the State Highway Patrol as now authorized by law which are hereby consolidated into one force to be known as the State Police Force and such chiefs statisticians clerks experts and other assistants as the commissioner with the approval of the Governor shall deem necessary for the work of the force

The Commissioner of the Pennsylvania State Police shall receive a salary at the rate of eight thousand dollars per annum

The Deputy Commissioner of the Pennsylvania State Police shall be appointed by the Commissioner of Pennsylvania State Police with the approval of the Governor and shall receive a salary at the rate of seven thousand five hundred dollars per annum

The State Police Force shall consist of such number of officers and men and shall be organized in such manner as the Commissioner of Pennsylvania State Police with the approval of the Governor shall from time to time determine Provided however That the number of officers and men shall not exceed in the aggregate at any time [one thousand six hundred] one thousand eight hundred (1800) persons

The members of the State Police Force and the chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be appointed by the commissioner and shall receive such compensation as shall be fixed by the commissioner with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Robertson,
Amarando,	Gallagher,	Lovett,	Rose,
Andrews,	George,	Madigan,	Rosen,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boies,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. O.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Breth,	Harney,	Moore, C. E.,	Spencer,
Brice,	Harris,	Moore, H. A.,	Stank,
Brown, H. S.,	Haudenshield,	Moran,	Sternberg,
Brown, W. E.,	Heatherington,	Munley,	Stimmel,
Brunner,	Helm,	Murray,	Stuart,
Buechin,	Herman,	Musto,	Swope,
Cadwalader,	Hersch,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,

Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglass,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Ewing,	Kline,	Price, H. W., Jr.,	Wheeler,
Felton,	Kohl,	Price, R. A.,	Williams,
Ferster,	Kolankiewics,	Propert,	Wood,
Filo,	Kondrath,	Readinger,	Worley,
Firmstone,	Kratz,	Reagan,	Yaffe,
Flack,	Kurtz,	Reese,	Yeakel,
Fleming,	Lederer,	Reidenbach,	Yester,
Floyd,	Lee,	Reilly, J. M.,	Yetzer,
Fox,	Lelsey,	Reynolds,	Young,
Frank,	Leonard,	Riley, R. L.,	Ziegler,
Frost,	Limper,	Robbins,	Sorg,

Speaker

NAYS—3

Erb, Evans, Rovanske,

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 105, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the salaries of certain officers of the Commonwealth The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of

the Governor and the other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in all other assistants and employes of certain departments which the number and compensation of the deputies and boards and commissions shall be determined" as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (Pamphlet Laws 94) is hereby further amended to read as follows

Section 205 Pennsylvania State Police The Pennsylvania State Police shall consist of a Commissioner a Deputy Commissioner the State police force and the State Highway Patrol as now authorized by law which are hereby consolidated into one force to be known as the State Police Force and such chiefs statisticians clerks experts and other assistants as the commissioner with the approval of the Governor shall deem necessary for the work of the force

The Commissioner of the Pennsylvania State Police shall receive a salary at the rate of [eight] fifteen thousand dollars per annum

The Deputy Commissioner of the Pennsylvania State Police shall be appointed by the Commissioner of Pennsylvania State Police with the approval of the Governor and shall receive a salary at the rate of seven thousand five hundred dollars per annum

The State Police Force shall consist of such number of officers and men and shall be organized in such manner as the Commissioner of Pennsylvania State Police with the approval of the Governor shall from time to time determine Provided however That the number of officers and men shall not exceed in the aggregate at any time one thousand six hundred persons

The members of the State Police Force and the chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be appointed by the commissioner and shall receive such compensation as shall be fixed by the commissioner with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board

Section 2 Section two hundred nine of said act as last amended by the act approved the tenth day of May one thousand nine hundred thirty-nine (Pamphlet Laws 101) is hereby further amended to read as follows

Section 209 Compensation of the Governor Lieutenant Governor and Heads of Departments Annual salaries shall be payable in equal semi-monthly installments as follows

To the Governor [eighteen] twenty-five thousand dollars  
To the Lieutenant Governor [eight] fifteen thousand dollars

To the Secretary of the Commonwealth [ten] fifteen thousand dollars

To the Attorney General [twelve] fifteen thousand dollars

To the Auditor General [twelve] fifteen thousand dollars  
To the State Treasurer [twelve] fifteen thousand dollars

To the Secretary of Internal Affairs [ten] fifteen thousand dollars

To the Superintendent of Public Instruction [twelve] fifteen thousand dollars

To the Adjutant General [ten] fifteen thousand dollars  
To the Insurance Commissioner [ten] fifteen thousand dollars

To the Secretary of Banking [ten] fifteen thousand dollars

To the Secretary of Agriculture [ten] fifteen thousand dollars

To the Secretary of Forests and Waters [ten] fifteen thousand dollars

To the Secretary of Mines [ten] fifteen thousand dollars  
To the Secretary of Highways [twelve] fifteen thousand dollars

To the Secretary of Highways [twelve] fifteen thousand dollars

To the Secretary of Health [ten] fifteen thousand dollars  
To the Secretary of Labor and Industry [ten] fifteen thousand dollars

To the Secretary of Welfare [ten] fifteen thousand dollars

To the Secretary of Property and Supplies [ten] fifteen thousand dollars

To the Secretary of Revenue [twelve] fifteen thousand dollars

To the Secretary of Public Assistance [ten] fifteen thousand dollars

To the Secretary of Commerce [ten] fifteen thousand dollars

Neither the Governor Lieutenant Governor nor the head of any administrative department shall receive any additional compensation for any services rendered to the Commonwealth in any capacity

Section 3 Subsection (A) of section two hundred ten of said act as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 945) is hereby further amended to read as follows

Section 210 Compensation of Members of administrative Boards and commissions (a) annual salaries shall be payable in equal semi-monthly installments as follows

To the Commissioner of Fisheries six thousand seven hundred fifty dollars

To the Chairman of the Pennsylvania Public Utility Commission [ten thousand five hundred] fifteen thousand dollars as provided by law

To the members of the Pennsylvania Public Utility Commission other than the chairman each [ten] fourteen thousand dollars as provided by law

To the Chairman of the Pennsylvania Labor Relations Board nine thousand dollars as provided by law

To the members of the Pennsylvania Labor Relations Board each eight thousand five hundred dollars as provided by law

To the Chairman of the Milk Control Commission ten thousand five hundred dollars as provided by law

To the members of the Milk Control Commission each ten thousand dollars as provided by law

To the Chairman of the Pennsylvania Liquor Control Board fifteen thousand dollars

To the members of the Pennsylvania Liquor Control Board other than the chairman each fourteen thousand dollars

Section 4 Section four hundred twenty-seven of said act as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1354) is hereby further amended to read as follows

Section 427 State Athletic Commission the State Athletic Commission shall consist of three members who shall be appointed for terms of two years and the Secretary of Revenue ex officio

Each member of the commission except the Secretary of Revenue and the chairman shall receive a salary of [five thousand five hundred] seven thousand dollars per annum and the chairman shall receive a salary of seven thousand five hundred dollars per annum

Two members of the commission shall constitute a quorum and the concurrence of at least two members of the commission shall be necessary to render valid any action by the commission

The commission may appoint such number of deputies as shall be approved by the executive board whose compensation shall be fixed by the commission with the approval of the governor

The commission may with the approval of the Secretary of Revenue appoint a secretary who shall receive a salary to be fixed by the commission with the approval of the Governor

Section 5 Section four hundred twenty-nine of said act is hereby amended to read as follows

Section 429 Pennsylvania securities commission the Pennsylvania Securities Commission shall consist of three members and the Secretary of Banking ex officio

Two members of the commission shall constitute a

quorum and no action of the commission shall be valid unless it shall have the concurrence of at least two members a vacancy on the commission shall not impair the right of a quorum to exercise all the powers and perform all the duties of the commission

The Governor shall designate one of the members of the commission as the chairman thereof and the Secretary of Banking with the approval of the Governor shall appoint a secretary who shall receive such salary as the Secretary of Banking with the approval of the Governor shall determine

The chairman of the commission shall receive a salary at the rate of [seven thousand five hundred] eight thousand five hundred dollars per annum the other members of the commission except the Secretary of Banking shall receive salaries at the rate of [seven thousand] eight thousand dollars per annum

Section 6 Sections four hundred forty-one and four hundred forty-two of said act are hereby amended to read as follows

Section 441 Workmen's Compensation Board The Workmen's Compensation Board shall consist of three members of whom the Governor shall designate one as chairman the Secretary of Labor and Industry shall be ex officio a member of the board two members of the board shall be a quorum and no action of the board shall be valid unless it shall have the concurrence of at least two members A vacancy on the board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the board

The Secretary of Labor and Industry with the approval of the Governor shall appoint a secretary to the Workmen's Compensation Board who shall receive such salary as the Secretary of Labor and Industry with the approval of the Governor shall determine

The Chairman of the Workmen's Compensation Board shall receive a salary at the rate of [nine thousand] eleven thousand five hundred dollars per annum the other members of the board except the Secretary of Labor and Industry shall receive salaries at the rate of [eight thousand five hundred] eleven thousand dollars per annum

Section 442 Workmen's Compensation Referees There shall be in the Department of Labor and Industry as many Workmen's Compensation Referees as in the judgment of the Governor and of the Secretary of Labor and Industry shall be necessary properly to administer the workmen's compensation laws of the Commonwealth Such referees shall be subject to the direction and control of the Workmen's Compensation Board The board shall assign them to the various workmen's compensation districts and shall prescribe from time to time the duties to be performed by them

Each Workmen's Compensation Referee shall receive a salary at the rate of [five thousand] seven thousand five hundred dollars per annum

Section 7 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, the session of the General Assembly now drawing to a close will probably live in history because of its generosity. It has been a graduated generosity, Mr. Speaker—little raises for little fellows, and a gradual increase in the tempo of generosity as the pace approaches the top.

I would not be opposed to increases in the salaries of the Members of the High Command were those increases in keeping with the increases made in other directions. I am particularly mindful of the increases that have been handed the teachers of the Commonwealth. I see

that we boost the Governor from eighteen thousand dollars to twenty-five thousand dollars". Maybe the Governor should have been getting twenty-five thousand dollars a long time ago, but boosting it from eighteen thousand dollars to twenty-five thousand dollars is quite a boost. The Lieutenant Governor from eight thousand dollars to fifteen thousand dollars, plus accessories. If anyone knows what the Lieutenant Governor does to earn the eight thousand dollars, I have not been able to figure it out myself. The Secretary of Commerce from ten thousand dollars to fifteen thousand dollars; the Attorney General from twelve thousand dollars to fifteen thousand dollars. Now, that is a peculiar arrangement. The Attorney General in any schedule ought to rate higher than the Secretary of Commerce and the Lieutenant Governor. A good Attorney General would be worth fifty thousand dollars to the Commonwealth of Pennsylvania, as he would save that much money in the course of a year. If we would have the right kind of Attorney General, I would be willing to pay him a hundred thousand dollars a year, and so would the Majority Leader for that matter. The State Treasurer, the Auditor General, well, they are new boys. We boost them from twelve thousand dollars to fifteen thousand dollars to encourage them. Let all us Republicans stand together. The Secretary of Internal Affairs,—now, Mr. Speaker, that fellow has a mighty nice income from his private practice of law, I understand. He has his salary boosted from ten thousand dollars to fifteen thousand dollars. If he gets fifteen thousand dollars he should pay some attention to his office and take time off from his private practice. I think in this particular case the salary should come down from ten thousand dollars to about six thousand dollars.

Then, Mr. Speaker, we go on down the line. These increases are out of line with the general increases that have been handed down. For that reason, reluctantly I will have to vote against this particular bill.

Mr. LOVETT. Mr. Speaker, the thing that is happening to the world today is that the minute we try to improve the standards of living of the little fellow, the other fellow wants to go just that much above him. I often wonder where in the world we are going on salary increases like these, when we say to the poor school teacher "We will better your conditions a little bit" and then we take the big fellow up at the top, and because he is better than the school teacher by two cents an hour we have got to pay this fellow a great big salary and increase the big salary already he is getting.

That is two dollars an hour, somebody said. Maybe that is right, I haven't figured that out. Whenever you get into those large figures I don't understand them, they get beyond me; I don't understand them when they get that big. So, I am like my friend from Cambria, Mr. Andrews, if you had made a decent bill and had given them a decent increase, I could possibly have voted for it and shut my eyes when I did so, when I think of the few cents the school teachers got. My friends, I am going to vote against this bill.

Mr. BRANDON. Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Moran.

Mr. MORAN. Mr. Speaker, this bill, as I understand it, is raising the salaries of people who are now receiving a very large salary. We have people on public assistance who are not getting enough to live on. This is

another case of giving the guy with the least a kick in the pants. So, I say to you, that if you vote for this bill it is not humanitarian when you give these people a raise and forget these poor people who cannot help themselves.

Mr. WORLEY. Mr. Speaker, it isn't difficult to see where a large portion of tax money is going if you have followed this 1949 session's record. I knew that a great deal of the tax funds would be used for improper purposes and not for the benefit of the average Pennsylvania citizen, and I am glad I voted against two of the eight bills in the Governor's program, even though all of my own bills for the people were killed for revenge by the Governor's leaders in this House. Too much is being done for the benefit of the head state officials and too much privilege has gone to the bosses who have a stranglehold on this state government. I desire to be recorded as voting "no" on this bill, Mr. Speaker.

Mr. NAGEL. Mr. Speaker, I hesitate to oppose anyone getting all the good things in this life that he can get, but I cannot refrain from commenting on this bill that shall call a salary grab bill.

I shall have to oppose this bill because it is not in keeping with the salaries of other persons in our state. Your attention has been called by our Minority Leader to our neglect to give to the teachers what they should properly have.

I want to call your attention to another group of servants of our state. When you go to the liquor store and buy your gin and rum that is handed out to you legally, these servants of our state are given a salary that is barely sufficient to maintain the necessities of life.

Now, let us not forget, Mr. Speaker, when we go back home our constituents will say "We detest the idea of paying so much tax; you are burdening us with another tax." Then you just go back home and tell them that you voted for a bill to increase the salaries of a lot of our high officials of the state. That is one of the reasons that has added just a little more to our tax burden. We must not forget that the money spent by our state does not grow on trees; that it must come from the people of the state; that we must make up that money in some way through taxes and we should show our constituents back home that we have put forth an effort to curtail the expenses of this great Commonwealth which are from session to session mounting higher and higher.

We have today inflation. The pendulum has swung far to the right, and if history repeats itself, that pendulum will swing back to the left. Then we may recall the days when we or some of our friends stood on the street corner selling apples in order that they might buy a loaf of bread. That day may come again, but here in this bill you are going to raise the remuneration of some of our higher paid officials of the state to the place where they will live in comfort and ease while many of the poor tax payers of the state can hardly maintain a decent existence. Let us not forget this.

I ask the Members of the House to remember well what I say. You are establishing a precedent, and once you attempt to take this bit of candy from these men and women you will find that you have a most difficult job. It is more difficult to reduce a salary than it is to increase it. I am voting against this bill.

Mr. BRUNNER. Mr. Speaker, I had not intended to debate this bill, but I am more or less familiar with it and I think I should reply to some of the arguments advanced by the other side.

In the first place, the Minority Leader has called the attention of this House to two salary increases, the Auditor General and the State Treasurer. There has been a change of party in those two offices and we are voting for an increase for them. Surely the gentleman is well aware that under the provisions of the Constitution, since these men were elected prior to this, they cannot profit from this particular measure and their salaries will remain at the lower rate. These salary increases generally are long past due.

We have increased the salaries of others in this Session. We took upon ourselves at the last Session in this very House to enact an expense allowance of twelve hundred dollars a year, when we are elected to receive a salary of three thousand dollars. True, it is an expense allowance, but nevertheless it is tantamount to a very large percentage of increase over and above what we were elected to receive.

There is no reflection on the Members of the Cabinet of this administration, or any past administration, but certainly adequate compensation should be provided so as to procure competent people to fill those positions. I cannot comprehend this great state of Pennsylvania, with its increased responsibilities from biennium to biennium, coping with the problems of over ten millions of people, having them regulate that huge business with the salaries that we are presently paying them. I think the increases are not adequate; I think that men who handle a business of this size, who conduct the business of a great outstanding Commonwealth like Pennsylvania, merit proper and adequate compensation. I do not look at this as a salary grab. I think it is inadequate and I hope the Membership of this House realize it. As I said before, in view of the huge responsibility imposed upon the State Government and the ever increasing demands for more and more from session to session, it is important that we attract men to the state government who can do the job and who will not be prevented from coming in by inadequate compensation.

Mr. COLE. Mr. Speaker, I hesitate to get up against a salary raise, for anybody, as I am always out to get the most I can for myself, but I want to call to the attention of the Membership of the House a statement I made on the Floor of the House several weeks ago on another salary raise bill. The Members on the other side said that it was not adequate, that the salaries should be higher. I want to remind you of the program of the working people of Pennsylvania, when you said that a proper program was to give a man twenty-five dollars a week when he is off work and has a family to keep.

Mr. ANDREWS. Mr. Speaker, I rise to confess a vast inadvertence. I notice that the Chairman of the Milk Control Commission is carried along in this measure. I had forgotten, but I had intended to present an amendment which would have given the Chairman of the Milk Control Commission nine dollars and ninety-nine cents a year.

Mr. NAGEL. Mr. Speaker, perhaps some of you gentlemen will think I am opposing this bill because those in power belong to the majority party. I rise to clear that

situation, for it is my humble belief that the next session will find our party on this side in the majority, and I want to obligate myself by saying that we can furnish plenty efficient and capable persons to fill these positions at the salaries they are now being paid.

Mr. GUARNIERI. Mr. Speaker, I just want to make one statement. In this bill Section 4, Page 13, it says: "The provisions of this Act shall become effective immediately upon final enactment of this bill." That is all I have to say.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—116

Altshuler,	Fleming,	Lee,	Royer,
Bane,	Fox,	Lelsey,	Sax,
Barkdoll,	Frank,	Loftus,	Scott,
Baumunk,	Frost,	Madigan,	Shoemaker,
Bednarek,	Gallagher,	McCormack,	Smith, O. C.,
Blair,	George,	McCullough,	Snider,
Bloom,	Gibson,	McKinney,	Sollenberger,
Bomberger,	Goodling,	McMillen,	Spencer,
Boorse,	Graybill,	Mikula,	Stank,
Bower,	Green,	Miller,	Stimmel,
Breisch,	Greenwood,	Milliken,	Stuart,
Brice,	Greer,	Mills,	Tahl,
Brunner,	Guthrie,	Mintess,	Thompson,
Cadwalader,	Hall,	Moore, C. E.,	Tompkins,
Clapper,	Haudenshield,	Moore, H. A.,	Toomey,
Clendening,	Helm,	Murray,	Wachhaus,
Cooper,	Herman,	Najaka,	Wagner,
Costa,	Hewitt,	Neff,	Waterhouse,
Dalrymple,	Hoffman,	O'Dare,	Watkins,
DeLong,	Jennings,	O'Donnell,	Weidner,
Dennison,	Johnson,	Orban,	Wescott,
Depuy,	Jump,	Petrosky,	Wheeler,
Driscoll,	Keller,	Price, H. W., Jr.,	Williams,
Elder,	Kemp,	Probert,	Wood,
Ewing,	Kent,	Reilly, J. M.,	Yaffe,
Felton,	Kline,	Riley, R. L.,	Yeakel,
Ferster,	Kohl,	Robbins,	Young,
Firmstone,	Kratz,	Robertson,	Ziegler,
Flack,	Kurtz,	Rose,	Sorg,

Speaker

## NAYS—76

Amarando,	Hagerty,	McGee,	Rosen,
Andrews,	Hamilton,	Monroe,	Rovansek,
Beaver,	Harris,	Moran,	Sarra,
Boles,	Heatherington,	Munley,	Scanlon,
Breth,	Hersch,	Musto,	Schmidt,
Brown, H. S.,	Hocker,	Nagel,	Schuster,
Bucchin,	Hoggard,	Needham,	Seyler,
Cole,	Jenkins,	Nixon,	Smith, W. B.,
Coleman,	Jim,	Pentrack,	Sternberg,
Conway,	Jones, G. E.,	Peta,	Swope,
Dougherty,	Jones, J. M.,	Pettigrew,	Taylor,
Duffy,	Kamyk,	Pfaff,	Varallo,
Evans,	Kirley,	Posta,	Wargo,
Filo,	Kolankiewicz,	Polen,	Weiss,
Floyd,	Kondrath,	Powers,	Welsh,
Gaffney,	Lederer,	Price, R. A.,	Westrick,
Glembocki,	Leonard,	Readinger,	Worley,
Good,	Limper,	Reese,	Yester,
Guarnieri,	Lovett,	Reidenbach,	Yetzer,

## NOT VOTING—16

Brandon,	Erb,	McNally,	Reagan,
Brown, W. E.,	Harney,	Mihm,	Reynolds,
Cochran,	Hunter,	Olsen,	Varnier,
Dye,	Krise,	Penglase,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

## HOUSE BILL No. 1093.

An Act establishing a certain section of road over State owned lands as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGES

## AMENDED SENATE BILLS NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

## SENATE BILL No. 399.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations: defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the condition on which such corporations may exercise their power, providing for the inclusion of certain existing corporation of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deed and certain State departments commissions and officer authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain act and parts of acts relating to corporations" prohibiting the use of certain additional words in corporate name changing the contents of articles of Young Men's Christian Associations authorizing the passage of by-laws superceding the charter on purely administrative matters permitting notice of meetings to be given by advertisement changing certain provisions relating to mergers consolidations and foreign corporations and repealing an act

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

## CONFERENCE COMMITTEE APPOINTED ON SENATE BILL No. 399

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House on the subject of the differences existing between the House and Senate Messrs. McKinney, Orban and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

## SENATE BILL No. 400.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing the requirement of and effect of notice to shareholders in certain cases further limiting the use of certain words in corporate names defining the term of office of the first directors changing provisions relating to the inception of corporate existence or authority to do business changing the requirements of contents of articles of incorporation and application for certificates of authority providing for indemnification of directors and officers and other persons of certain expenses making certain changes relating to officers assistant officers and agents the determination of shareholders of record cancellation of acquired shares advertising in connection with articles of amendment issuance and redemption of shares amendment of articles of incorporation merger and consolidation providing for the domestication of foreign corporations and eliminating the filing of affidavit of paid in capital and clearance certificates in certain cases

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House insist upon its amendments nonconcurrent in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

CONFERENCE COMMITTEE APPOINTED ON  
SENATE BILL No. 400

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House on the subject of the differences existing between the House and Senate, Messrs. McKinney, Orban and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, informed that the Senate has nonconcurrent in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

## SENATE BILL No. 530.

An Act to amend section ten of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" by increasing the minimum annual salaries of associate judges not learned in the law

Mr. CHARLES C. SMITH. Mr. Speaker, I move that

the House insist upon its amendments nonconcurrent in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

CONFERENCE COMMITTEE APPOINTED ON  
SENATE BILL No. 530

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House on the subject of the differences existing between the House and Senate, Messrs. Watkins, Tompkins and Coleman.

Ordered, That the Clerk inform the Senate accordingly.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 170, as follows:

An Act to amend section ninety-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by placing a limit on the amount which may be spent for hotel and traveling expenses and cost of annual meetings  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ninety-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 96 Expenses Time Limit Each register of wills or deputy register of wills or person representing any register of wills shall be allowed all reasonable expenses including hotel bills and traveling expenses actually incurred going to attending and returning from any annual meeting of the association but not exceeding twelve dollars per day together with eight cents per mile in going to and returning from such meeting [but not in excess of fifty dollars] in any one year which shall be paid by the county of which he or she is an officer by orders drawn on the treasurer thereof The time spent in attending such meetings shall not be more than three days exclusive of the time employed in traveling thereto and therefrom The expenses of the annual meeting of the association including any necessary amount for printing committee meetings and stenographic services shall be paid by the proper counties but shall not exceed [twenty-five] sixty dollars for each county the register of wills of which is a member of said association

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Baumunk,	George,	McCormack,	Royer,
Bane,	Gibson,	McCullough,	Sarra,
Barkdoll,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bombberger,	Greer,	Miller,	Shoemaker,

Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglass,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewics,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 193, as follows:

An Act concerning Notaries Public and amending revising consolidating and changing the law relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The Notary Public Law"

Section 2 Appointment of Notaries The Governor with the advice and consent of two-thirds of all the members of the Senate is hereby authorized to appoint and commission as many Notaries Public as in his judgment the interest of the public may require to maintain their offices in such cities boroughs incorporated towns or townships within this Commonwealth as the Governor shall in the respective commissions direct

Section 3 Eligibility Any citizen of Pennsylvania being twenty-one (21) years of age or over of known good character integrity and ability shall be eligible to the office of notary public if he shall have resided within this Commonwealth for at least two (2) years immediately preceding the date of his appointment and shall have resided within the county for which he seeks appointment or in an adjoining county for at least one (1) year immediately preceding the date of his appointment

Section 4 Disqualification Exception The following

person shall be ineligible to hold the office of notary public

(1) Any person holding any judicial office in this Commonwealth except the office of justice of the peace magistrate or alderman

(2) Every member of Congress and any person whether an officer a subordinate officer or agent holding any office or appointment of profit or trust under the legislative executive or judiciary departments of the government of the United States to which a salary fees or perquisites are attached

Section 5 Application to Become a Notary Public Applications for appointment to the office of notary public shall be made to the Governor on forms prescribed and furnished by the Governor and shall be accompanied by a fee of twenty-five (\$25) dollars payable to the order of "State Treasurer" by money order certified check or draft Such fee shall not be required for a commission issued for a term of four (4) years when such term shall follow consecutively a recess appointment

Section 6 Application for Reappointment Applications for reappointment to the office of notary public shall be filed at least one month prior to the expiration of the commission under which the notary is acting and may be filed at any time after October first preceding the convening of the Senate at its next regular session

Section 7 Appointment During Recess of Senate Notaries public appointed by the Governor during the recess of the Senate shall each receive a commission which shall expire at the end of the next session of the Senate if they shall so long behave themselves well

Section 8 Appointments Confirmed by Senate Notaries public whose appointments have been confirmed by the Senate shall each receive a commission which shall expire four (4) years from the date of such confirmation if they shall so long behave themselves well

Section 9 Reappointments Where notaries public are reappointed by the Governor and confirmed by the Senate before the expiration of their commissions they shall each receive a commission which shall expire four (4) years from the date of the expiration of their previous commission if they shall so long behave themselves well

Section 10 Oath of Office Bond Recording Every notary on his appointment and before he enters upon the duties of the office of notary public shall take and subscribe the constitutional oath of office and shall give a surety bond payable to the Commonwealth of Pennsylvania in such amount as shall be fixed by the Governor Every such bond shall have as surety a duly authorized surety company or two sufficient individual sureties to be approved by the Governor conditioned for the faithful performance of the duties of the office of notary public and for the delivery of his register and all other public papers into the office of the recorder of deeds of the proper county in case of his death resignation disqualification or removal Such bond as well as his commission and oath of office shall be recorded in the office of the recorder of deeds of the county wherein the place for which he is commissioned is located The commission of any notary hereafter appointed who shall for the space of thirty (30) days after the beginning of his term neglect to give bond and cause the same and his commission and oath to be recorded as above directed shall be null and void Provided That where a notary is appointed during the recess of the Senate and such appointment is hereafter confirmed when the Senate convenes the new commission oath and bond of such notary need not be recorded until the end of the session in which such Senate confirmation was had

Section 11 Registration of Notary's Signature Fee The official signature of each notary public shall be registered in the "Notary Register" provided for such purpose in the Prothonotary's Office of the county wherein the place for which he is commissioned is located The fee to be charged by the Prothonotary for recording a notary's signature shall be fifty (\$.50) cents

Section 12 Marriage or Divorce of Female Notary Reissue of Commission Whenever any female notary shall

nary or is divorced and assumes her maiden name thereafter she shall before the performance of any notarial act return her commission to the Governor stating the fact of her marriage or divorce and giving her married name or maiden name as the case may be. The Governor shall thereupon issue to her a new commission conforming to the change of name covering the term for which she was originally commissioned without requiring any payment to the Commonwealth other than that originally made. Upon the issuing of said new commission the notary thus commissioned shall take and subscribe the constitutional oath of office give a new bond according to the change of name with security as herein required and cause the same and her commission and oath to be recorded as herein provided. The new commission of any female notary issued under the provisions of this section who shall for the space of thirty (30) days after the issuance thereof neglect to give bond take and subscribe the constitutional oath of office and cause the same and her commission and oath to be recorded as herein provided shall be null and void provided that where a new commission is issued under the provisions of this section during the recess of the Senate and such appointment is thereafter confirmed when the Senate convenes the new commission oath and bond of such notary need not be recorded until the end of the session in which such Senate confirmation was had.

Section 13 Refund of Fee (a) Whenever any person shall make application for a commission as notary public and shall pay into the State Treasury the fee for the same and for any reason such commission shall not issue or shall not be received or the applicant fails or neglects to properly qualify for his commission the State Treasurer upon receipt of the proper warrant from the Board of Finance and Revenue shall refund to such person or his personal representative the amount so paid into the State Treasury.

(b) No such warrant shall be issued by the Board of Finance and Revenue until such person or his personal representatives shall have made application in writing to said Board and under oath or affirmation on forms prescribed and furnished by said Board therefor setting forth such payment into the State Treasury and averring that no commission has been received by such person or that such person has failed or neglected to properly qualify for his commission nor shall any such warrant issue until the Secretary of the Commonwealth shall have certified in the said Board that a commission has not been issued to such applicant or if issued has not been received by the applicant and has been cancelled or that such person has failed or neglected to properly qualify for his commission.

Section 14 Domicile and Office of Notary. It shall be lawful for any person heretofore appointed or who shall hereafter be appointed a notary public and whose commission shall direct such notary to maintain his office in any city borough town or township of any county of this Commonwealth to have a domicile in any part of said county or of any adjoining county. Provided that such notary shall maintain an office in the city borough town or township of the county named in his commission.

Section 15 Acts Outside Place for which Commissioned. All notarial acts heretofore or hereafter performed within this Commonwealth by any notary public of this Commonwealth when such notary is not at the place within the county for which he was commissioned shall otherwise in conformity with the requirements of then existing law be as valid and legal as if he were at the place for which he is commissioned. Nothing in this section contained shall apply to or affect any case now pending in or hereafter decided by any court of the Commonwealth.

Section 16 Notarial Seal. Every notary shall provide a public notarial seal with which he shall authenticate all his acts instruments and attestations. There shall be engraved on such seal the words "Notary Public" and

the name surname and the location of the office of the notary using the same.

Section 17 Date of Expiration of Commission. Every notary public in this Commonwealth shall note upon each certificate attestation or official notarial act either written typed or stamped a statement in plain legible characters in the English language of the date upon which his commission expires.

Section 18 Position of Seal and Date of Expiration of Commission (a) The seal of a notary public shall be impressed opposite the jurat and affixed in such manner as to make a legible impression on all documents executed.

(b) The date of expiration of a notary's commission shall be written typed or stamped immediately below the signature of the notary.

Section 19 Register Copies of Records (a) Every notary public shall keep a fair register of all official acts by him done by virtue of his office and shall when thereunto required give a certified copy of any record in his office to any person applying for same. Said register shall contain the date of the act the character of the act and date and parties to the instrument and the amount of fee collected for the service.

(b) The register and other public papers of such notary shall not in any case be liable to be seized attached or taken in execution for debt or for any demand whatsoever.

Section 20 Death Resignation Disqualification or Removal Disposition of Public Papers and Register (a) Within thirty (30) days after the death resignation or disqualification of a notary or within ten (10) days after the removal of a notary his register and all other public papers shall be filed in the office of the recorder of deeds of the county wherein he was commissioned. If such register and notarial papers are not filed within the period herein specified such recorder of deeds may bring and maintain an appropriate action for recovery of the same.

(b) The recorder of deeds shall give certified copies of such papers or registers or any part thereof to any person who may demand the same upon the payment of proper fees for such service. Copies duly certified under the seal of office of such recorder of deeds shall be evidence in all cases in which such public papers and register would be received in evidence and with like force and effect.

(c) If any notary who shall be removed by the Governor or other lawful authority shall neglect or refuse to deposit his register and other public papers in his possession in the recorder's office of the proper county within the time above mentioned he shall forfeit and pay the sum of one hundred (\$100) dollars and the further sum of one hundred (\$100) dollars for every ten (10) days that he shall thereafter so neglect or refuse to be recovered as debts of the same amount are recoverable for the use of the person who may sue for the same. He shall moreover be liable in damages to every person who may suffer from such neglect or refusal.

Such recorder of deeds may bring and maintain actions for such register and papers in the same manner as is provided in case of the death resignation or disqualification of a notary.

Section 21 Power to Administer Oaths and Affirmations. Notaries shall have power to administer oaths and affirmations according to law matters belonging or incident to the exercise of their notarial office. Any person who shall be convicted of having wilfully and knowingly made or taken a false oath or affirmation before any notary in any matters within their official duties shall be guilty of perjury and shall be subject to the penalties in such case made and provided.

Section 22 Power to Take Acknowledgment of Instruments of Writing Relating to Commerce or Navigation and to Make Declarations. Notaries shall have the power to receive the proof of acknowledgment of all instruments of writing relating to commerce or navigation such as bills of sale bottomries mortgages and hypothe-

cations of ships or vessels charter parties of affreightment letters of attorney and such other writings as have been usually proved or acknowledged before notaries within this Commonwealth and also to make declarations and testify the truth thereof under their seals of office concerning all matters by them done in virtue of their respective offices

Section 23 Power to Take Dispositions Affidavits and Acknowledgment of Writings Relative to Lands. Notaries shall have power to take depositions and affidavits to take and receive the acknowledgment or proof of all deeds conveyances mortgages or other instruments or writing touching or concerning any lands tenements or hereditaments situate lying and being in any part of this State

Section 24 Limitation on Power Fees (a) No stockholder director or officer in any bank banking institution or trust company holding at the same time the office of notary public shall do or perform any act or duty as notary public for any bank banking institution or trust company in which he is a stockholder director or officer Any act or duty performed by any such notary public for any such bank banking institution or trust company is hereby declared invalid

(b) No clerk in any bank banking institution or trust company holding at the same time the office of notary public shall be authorized to protest checks notes drafts bill of exchange or any commercial paper for any bank banking institution or trust company in which he is employed

(c) The fees of any such notary for other services rendered shall be the property of such notary and in no case belong to or be received by the corporation of which he is a stockholder director or clerk

(d) No justice of the peace magistrate or alderman holding at the same time the office of notary public shall have jurisdiction in cases arising on papers or documents containing acts by him done in the office of notary public

Section 25 Admissibility in Evidence The official acts protests and attestations of all notaries public certified according to law under their respective hands and seals of office including the dishonor of all bills and promissory notes and of notice to the drawers acceptors or endorsers thereof may be received and read in evidence as proof of the facts therein stated in all suits now pending or hereafter to be brought Any party may be permitted to contradict by other evidence any such certificate

Section 26 Fees of Notaries Public The fees of notaries public shall be as follows

Making demand for payment or acceptance of a promissory note bill of exchange draft or check seventy-five cents

Protesting the same seventy-five cents

Registering protest of the same fifty cents

For first notice of protest twenty cents and each additional notice five cents

Administering oaths or affidavits writing out and certifying the same with seal fifty cents

Probate to bill or account and certifying the same with seal fifty cents

Certified copy of any record fifty cents

Comparing the same for every hundred words seven cents

Every acknowledgment or probate of deed or other instrument of writing for the first name fifty cents each additional name after the first twenty-five cents

Taking depositions (first page folio cap) one dollar each additional page seventy-five cents

Marine protest including affidavits certificate seal et cetera ten dollars

Section 27 Specific Repeals The following acts and parts of acts and all amendments thereof are hereby repealed to the extent hereinafter specified

(1) The act approved the fifth day of March one thousand seven hundred ninety-one (3 Smith's Laws 6) entitled "An act to enable the Governor to appoint Notaries Public and for other purposes therein mentioned" absolutely

(2) Section sixteen of the act approved the twenty-eighth day of March one thousand eight hundred fourteen (P. L. 352) entitled "An act establishing a fee bill" absolutely

(3) The act approved the second day of January one thousand eight hundred fifteen (P. L. 3) entitled "A further supplement to the act entitled 'An act to enable the governor to appoint notaries public and for other purposes therein mentioned'" absolutely

(4) The act approved the fourteenth day of April one thousand eight hundred forty (P. L. 334) entitled "A further supplement to the act entitled 'An act to enable the Governor to appoint Notaries Public and for other purposes therein mentioned'" absolutely

(5) The act approved the fifth day of April one thousand eight hundred forty-eight (P. L. 335) entitled "An act changing the time when certain officers shall make their returns" as to notaries

(6) The act approved the twentieth day of February one thousand eight hundred fifty-four (P. L. 90) entitled "An act relative to the appointment of Notaries Public" absolutely

(7) The act approved the sixth day of March one thousand eight hundred fifty-four (P. L. 155) entitled "An act relating to Official Seals" as to notaries

(8) The act approved the fourth day of February one thousand eight hundred fifty-six (P. L. 21) entitled "An act relative to Notaries Public" absolutely

(9) The act approved the sixteenth day of May one thousand eight hundred sixty-one (P. L. 758) entitled "An act relating to Notaries Public" absolutely

(10) The act approved the twenty-second day of April one thousand eight hundred sixty-three (P. L. 548) entitled "An act authorizing Notaries Public in any State or Territory in the United States to take acknowledgments of deeds and letters of attorney and to confirm acknowledgments heretofore made" absolutely

(11) The act approved the fourth day of May one thousand eight hundred sixty-four (P. L. 776) entitled "A further supplement to an act to enable the Governor to appoint notaries public and for other purposes therein mentioned" as to notaries

(12) The act approved the tenth day of August one thousand eight hundred sixty-four (P. L. 962) entitled "Supplement to an act relating to the authentication of letters of attorney protests of notaries public and assignments made out of the State and to the acknowledgments of deeds approved the fourteenth day of December one thousand eight hundred and fifty-four" absolutely

(13) The act approved the twentieth day of May one thousand eight hundred sixty-five (P. L. 846) entitled "A further supplement to an act to enable the Governor to appoint notaries public and for other purposes relative to the fees of notaries public in the city of Philadelphia and requiring every notary public to pay five per cent of his receipts into the state treasury" absolutely

(14) The act approved the seventeenth day of May one thousand eight hundred sixty-six (P. L. 1085) entitled "A supplement to an act relating to the acknowledgments of deeds made out of the state approved December fourteenth one thousand eight hundred and fifty-four" absolutely

(15) The act approved the twelfth day of June one thousand eight hundred sixty-six (1867 P. L. 1506) entitled "A further supplement to an act to enable the Governor to appoint notaries public and for other purposes therein mentioned" absolutely

(16) The act approved the seventeenth day of April one thousand eight hundred sixty-nine (P. L. 68) entitled "An act to confirm the acknowledgments of deeds mortgages or other instruments of writing heretofore made by corporations" absolutely

(17) The act approved the nineteenth day of February one thousand eight hundred seventy-three (P. L. 36) entitled "An act to authorize the Governor to appoint additional notaries public" absolutely

(18) The act approved the sixteenth day of March one thousand eight hundred seventy-six (P. L. 7) entitled

'A supplement to an act to authorize the Governor to appoint additional notaries public' absolutely

(19) The act approved the eleventh day of June one thousand eight hundred eighty-five (P. L. 108) entitled 'An act to amend the first section of an act entitled 'A further supplement to the act entitled "An act to enable the Governor to appoint notaries public and for other purposes therein mentioned"' approved the fourteenth day of April one thousand eight hundred and forty' absolutely

(20) The act approved the fourteenth day of April one thousand eight hundred ninety-three (P. L. 16) entitled "An act rendering women eligible to office of notary public" absolutely

(21) The act approved the twenty-fifth day of May one thousand eight hundred ninety-three (P. L. 136) entitled 'An act to validate affidavits acknowledgments and other notarial acts heretofore or hereafter performed by notaries public of this Commonwealth outside of the place within which they have been commissioned to reside out within the Commonwealth' absolutely

(22) The act approved the sixth day of June one thousand eight hundred ninety-three (P. L. 323) entitled 'An act to amend an act entitled 'Relative to notaries public' approved the fourth day of February Anno Domini one thousand eight hundred and fifty-six extending the limits of residence and powers of notaries public' absolutely

(23) The act approved the twenty-fourth day of June one thousand eight hundred ninety-five (P. L. 241) entitled "An act fixing the term of office of notaries public and regulating the appointment thereof" absolutely

(24) The act approved the fourth day of April one thousand nine hundred one (P. L. 70) entitled "An act fixing the term of office of notaries public regulating the appointment and prescribing certain duties thereof" absolutely

(25) The act approved the fourth day of June one thousand nine hundred one (P. L. 425) entitled "An act to validate affidavits acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act" absolutely

(26) The act approved the twenty-fourth day of March one thousand nine hundred three (P. L. 50) entitled 'A further supplement to a further supplement approved the fourteenth day of April one thousand eight hundred and forty to the act entitled 'An act to enable the Governor to appoint notaries public and for other purposes therein mentioned' passed the fifteenth day of March one thousand seven hundred and ninety-one' absolutely

(27) The act approved the twenty-third day of April one thousand nine hundred nine (P. L. 151) entitled 'An act providing that the offices of justice of the peace and notary public shall not be incompatible' absolutely

(28) The act approved the twenty-seventh day of April one thousand nine hundred nine (P. L. 181) entitled 'An act to amend the act approved the twenty-fourth day of March one thousand nine hundred and three entitled 'A further supplement to a further supplement approved the fourteenth day of April one thousand eight hundred and forty to the act entitled "An act to enable the Governor to appoint Notaries Public and for other purposes therein mentioned" passed the fifteenth day of March one thousand seven hundred and ninety-one' so as to permit the taking of acknowledgments and the performing of any act or acts of a notary public by clerks employed by banks banking institutions and trust companies" absolutely

(29) The act approved the sixth day of April one thousand nine hundred eleven (P. L. 52) entitled "An act to validate affidavits acknowledgments and other notarial acts heretofore performed by notaries public of this commonwealth within three months after the expiration of the time for which they have been commissioned to act" absolutely

(30) The act approved the fourteenth day of June one

thousand nine hundred eleven (P. L. 936) entitled "An act providing for the refunding of fees paid into the State Treasury by applicants for a notary public commission when for any cause such commission shall not be received by the applicant and making an appropriation therefore" absolutely

(31) The act approved the tenth day of July one thousand nine hundred nineteen (P. L. 903) entitled "An act regulating the fees of notaries public" absolutely

Section 28 General Repeal All other acts and parts of acts general local and special inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altsbuler,	Frost,	Lovett,	Rose,
Amarando,	Gaffney,	Madigan,	Rosen,
Andrews,	Gallagher,	McCormack,	Rovanssek,
Bane,	George,	McCullough,	Royer,
Barkdoll,	Gibson,	McGee,	Sarra,
Baumunk,	Glembocki,	McKinney,	Sax,
Beaver,	Good,	McMillen,	Scanlon,
Bednarek,	Goodling,	McNally,	Schmidt,
Blair,	Graybill,	Mihm,	Schuster,
Bloom,	Green,	Mikula,	Scott,
Boles,	Greenwood,	Miller,	Seyler,
Bomberger,	Greer,	Milliken,	Shoemaker,
Boorse,	Guarnieri,	Mills,	Smith, C. C.,
Bower,	Guthrie,	Mintess,	Smith, W. B.,
Brandon,	Hagerty,	Monroe,	Snider,
Breisch,	Hall,	Moore, C. E.,	Sollenberger,
Breth,	Hamilton,	Moore, H. A.,	Spencer,
Brice,	Harney,	Moran,	Stank,
Brown, H. S.,	Harris,	Munley,	Sternberg,
Brown, W. E.,	Haudenshield,	Murray,	Stimmel,
Brunner,	Heatherington,	Musto,	Stuart,
Bucchin,	Helm,	Nagel,	Swope,
Cadwalader,	Herman,	Najaka,	Tahl,
Clapper,	Hersch,	Needham,	Taylor,
Clendening,	Hewitt,	Loftus,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Yester,
Dye,	Kemp,	Posta,	Yetzer,
Elder,	Kent,	Powers,	Welsh,
Erb,	Kirley,	Price, H. W., Jr.,	Wescott,
Evans,	Kline,	Price, R. A.,	Westrick,
Ewing,	Kohl,	Proper,	Wheeler,
Ferster,	Kolankiewicz,	Readinger,	Williams,
Felton,	Kondrath,	Reagan,	Wood,
Filo,	Kratz,	Reese,	Worley,
Firmstone,	Kurtz,	Reidenbach,	Yaffe,
Flack,	Lederer,	Reilly, J. M.,	Yeakel,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same

with amendments in which the concurrence of the Senate is requested.

Agreeably to order.

The House proceeded to the third reading and consideration of Senate Bill No. 198, as follows:

An Act relating to Apprenticeship creating a State Apprenticeship Council to formulate an apprenticeship policy and program and defining its powers and duties imposing duties on the Secretary of Labor and Industry and providing for administration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Declaration of Policy It is declared to be the policy of this act (1) To encourage the development of an apprenticeship system through the voluntary cooperation of management and labor and interested State agencies and in cooperation with other States and the Federal Government (2) to provide for the establishment and furtherance of standards of apprenticeship to safeguard the welfare of apprentices and (3) to aid in the maintenance of an adequate skilled labor force

Section 2 State Apprenticeship Council There is hereby created a State Apprenticeship Council as a departmental agency in the Department of Labor and Industry to be composed of eight (8) members who shall be appointed by the Governor Four (4) members shall be representatives of employees and four (4) members shall be representatives of employers Members of the council other than the ex officio members shall be appointed for a term of three (3) years or until their successors shall have been appointed Members of the council shall be eligible for reappointment and all vacancies arising from any cause whatsoever shall be filled by the Governor The Director of the State Employment Service and the Director of the Bureau of Instruction of the Department of Public Instruction shall be ex-officio members of the council without vote The council shall organize immediately upon its appointment and annually thereafter by the election of one of its members as chairman and another as vice-chairman

Section 3 Powers and Duties The council may (a) Establish suggested standards for apprenticeship in conformity with the provisions of this act (b) adopt such rules and regulations as may be necessary to carry out the intent and purpose of this act (c) compile such data as may be deemed necessary to determine trends of employment opportunity in various trades (d) terminate or cancel any apprenticeship agreements in accordance with the provisions of such agreements and (e) perform such other duties as may be necessary to give full effect to the provisions of this act

Once each year the council shall make a report to the Secretary of the Department of Labor and Industry of its activities and findings

Section 4 Meetings Meetings of the council shall be held quarterly and additional meetings as often as is necessary in the opinion of the majority of the council The chairman shall designate the time and place of the meetings and the secretary shall notify all council members at least one week in advance of each meeting. A majority of the membership of the council shall constitute a quorum provided that there is at least one representative present from both the employee and employer groups

Section 5 Administration The Secretary of Labor and Industry shall appoint a Director of Apprenticeship who shall be in charge of apprentice training in the Department of Labor and Industry and shall act as secretary of the Apprenticeship Council Such appointment shall be subject to the confirmation of the State Apprenticeship Council by a majority vote. The Secretary of Labor and Industry is further authorized to appoint such clerical technical and professional assistance as shall be necessary to effectuate the purposes of this act

Section 6 Director Duties The Director of Apprenticeship shall carry out the purposes of this act His duties

shall include but not be limited to (1) encouragement and promotion of the standards established in accordance with this act and with the basic standards of the Federal Committee on Apprenticeship (2) bringing about the settlement of differences arising out of apprenticeship agreement when such differences cannot be adjusted locally or in accordance with established trade procedure (3) supervision of the execution of agreements and maintenance of standards (4) registration of such apprenticeship agreements as the council shall authorize as conforming to the established standards and (5) keeping a record of apprenticeship agreements and upon performance thereof issuing certificates of completion of apprenticeship

Section 7 Limitation The provisions of this act shall apply only to such persons copartnerships associations corporations political subdivisions employer associations or organizations of employees as voluntarily elect to conform with its provisions

Section 8 General Repeal All acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, I am not arising to oppose this bill but I wish somebody could explain it. There seem to be some things in here that I do not understand and I know that some of the other Members of the House do not understand them, with regard to appointing the apprenticeship council.

Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Herman.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. HERMAN. I shall, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. HERMAN. Mr. Speaker, the purpose of this bill is to establish in Pennsylvania an apprenticeship council to better provide for an adequate skilled labor force. I feel that the bill is a good one. There is nothing mandatory about it. Any industry or any labor organization that sees fit can go into this apprenticeship system. The bill provides for an Apprenticeship Council on which there is representation for both labor and industry. I think it is a good bill and I urge the Members to vote for it.

Mr. MORAN. Mr. Speaker, in this bill before the House the members of the board when first organized, are appointed, I believe, is that right?

Mr. HERMAN. That is correct, they are appointed, Mr. Speaker, by the Governor.

Mr. MORAN. Mr. Speaker, is there any salary attached to those appointments?

Mr. HERMAN. I think there is no salary, Mr. Speaker.

Mr. MORAN. Mr. Speaker, what power would the appointed council have? Is it merely a voluntary set-up?

Mr. HERMAN. Mr. Speaker, voluntary set-up, and it is recommended that they cooperate with any branch of labor and any branch of industry. It provides for an apprenticeship system and better conditions for apprentices.

Mr. MORAN. Mr. Speaker, what type of apprenticeship does this cover? What part of industry?

Mr. HERMAN. Mr. Speaker, I believe it will cover any part of industry that desires to cooperate.

Mr. MORAN. Mr. Speaker, in the appointment of

Apprenticeship Council, can the gentleman tell me how the Governor arrives at who is qualified to serve on this Council?

Mr. HERMAN. Mr. Speaker, I wouldn't know how the Governor determines who to appoint. The bill provides that the Governor shall appoint a council of eight members, four from labor and four from industry.

Mr. MORAN. Mr. Speaker, in the appointment of this Council, does the Governor appoint so many from employers and so many from employees, or would he go into organized labor to make any of those appointments?

Mr. HERMAN. Mr. Speaker, I wouldn't know where the Governor would go to make the appointments. I know that the bill says that four of them shall be appointed from employees and four from employers.

Mr. MORAN. Mr. Speaker, I am not going to oppose this bill, but I think there is a lot left out of it, and since the Legislature meets only every two years, we will find out a lot of things that are omitted, probably to be corrected in 1951.

Mr. ANDREWS. Mr. Speaker, I would refer the Members who may be considering this bill to the provision on page five of the bill. That provision reads:

"The provisions of this act shall apply only if such persons, copartnerships, associations, corporations, political subdivisions, employers' associations or organizations of employees have voluntarily elected to conform with its provisions."

It is as the gentleman from Dauphin says, purely a voluntary matter.

Mr. LOVETT. Mr. Speaker, in regard to this particular bill, I think we now have a Federal act that covers pretty well what is in this act. Now, how the federal act panned out, to what success I don't know, but I feel, if it has been successful, there is a possibility that we do not need this legislation, and I am always just a little afraid of this kind of act. They start out very simple and they are all voluntary, but as we go along, I fear we will find ourselves being regimented into this, that or the other thing. I don't think there is any need for such an act; I have never heard of any need. I don't hear industry crying for it; I do not hear labor organizations crying for it; I don't hear anybody crying for it. So, therefore, I don't see any need for it. You can vote for it if you want to.

Mr. GUARNIERI. Mr. Speaker, I must concur in the statement by the gentleman from Westmoreland, Mr. Lovett. I have looked at this bill and I noticed that it gives the council power of eminent domain, it gives the council also the power to settle differences arising from grievances. I don't think the standards are very high, and since it is rather vague and since there is not a clear purpose stated in the bill, I think I will have to vote against it.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—158

Altahuler,	Frost	Lederer,	Reynolds,
Andrews,	Gaffney,	Lee,	Riley, R. L.,
Bane,	Gallagher,	Leisey,	Robbins,
Barkdoll,	George,	Leonard,	Robertson,
Baumunk,	Gibson,	Loftus,	Rose,
Bednarek,	Glembocki,	Madigan,	Royer,

Blair,	Goodling,	McCormack,	Sax,
Bloom,	Graybill,	McCullough,	Scott,
Boles,	Green,	McKinney,	Seyler,
Bomberger,	Greenwood,	McMillen,	Shoemaker,
Boorse,	Greer,	Mikula,	Smith, C. C.,
Bower,	Guthrie,	Miller,	Smith, W. B.,
Brelsach,	Hagerty,	Milliken,	Sollenberger,
Brice,	Hall,	Mills,	Spencer,
Brown, H. S.,	Hamilton,	Mintess,	Stimmel,
Brunner,	Harris,	Moore, C. E.,	Stuart,
Cadwalader,	Haudenschild,	Moore, H. A.,	Swowe,
Clapper,	Heatherington,	Moran,	Tahl,
Clendening,	Helm,	Munley,	Thompson,
Cole,	Herman,	Murray,	Tompkins,
Coleman,	Hewitt,	Najaka,	Toomey,
Cooper,	Hocker,	Needham,	Varnier,
Costa,	Hoffman,	Neff,	Wachhaus,
DeLong,	Hoggard,	Nixon,	Wagner,
Dennison,	Hunter,	O'Dare,	Wargo,
Depuy,	Jenkins,	O'Donnell,	Waterhouse,
Dougherty,	Jennings,	Orban,	Watkins,
Driscoll,	Johnson,	Pettigrew,	Weidner,
Dye,	Jones, J. M.,	Pfaff,	Wescott,
Elder,	Jump,	Polen,	Williams,
Ewing,	Kondrath,	Powers,	Wood,
Felton,	Kamyk,	Price, H. W., Jr.,	Worley,
Ferster,	Keller,	Price, R. A.,	Yaffe,
Filo,	Kemp,	Probert,	Yeakel,
Firmstone,	Kent,	Readinger,	Yester,
Flack,	Kline,	Reagan,	Yetzer,
Fleming,	Kohl,	Reese,	Young,
Floyd,	Kolankiewicz,	Reidenbach,	Ziegler,
Fox,	Kratz,	Reilly, J. M.,	Sorg,
Frank,	Kurtz,		Speaker

## NAYS—30

Amarando,	Jones, G. E.,	Petrosky,	Sternberg,
Breth,	Limper,	Posta,	Taylor,
Conway,	Lovett,	Rovansek,	Varallo,
Duffy,	McGee,	Schmidt,	Weiss,
Evans,	Monroe,	Schuster,	Welsh,
Guarnieri,	Nagel,	Snider,	Westrick,
Hersch,	Pentrack,	Stank,	Wheeler,
Jim,	Peta,		

## NOT VOTING—20

Beaver,	Dalrymple,	Krise,	Penglase,
Brandon,	Erb,	McNally,	Rosen,
Brown, W. E.,	Good,	Mihm,	Sarraf,
Bucchin,	Harney,	Musto,	Scanlon,
Cochran,	Kirley,	Olsen,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 214, entitled:

An Act to amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as heretofore amended and reenacted by providing for creation and abolition of wards for the detachment of territory the election of councilmen for the election of a banking institution as borough treasurer for change in the fiscal year and for budgets tax levies and audits necessitated thereby for the acquisition and lease of lands and buildings for comfort stations and the appropriation of moneys for the acquisition of land for fire company purposes for recognition of fire companies whose members are to be covered by Workmen's Compensation insurance for the adoption of a plumbing code empowering boroughs to prohibit junk yards and to make and regulate charges for the use of services and facilities authorizing the use of general fund moneys for pension purposes regulating contracts and sewer rentals and clarifying and revising certain provisions of said act

On the question,  
Will the House agree to the bill on third reading?

### BILL DROPPED FROM CALENDAR

Mr. ROBERTSON. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 221, as follows:

An Act to further amend section thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" by changing certain allowances and expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" as last amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 639) is hereby amended to read as follows

Section 38 Necessary Expenses of Headquarters The necessary military expenses of division brigade regimental and separate battalion or similar headquarters including clerk hire and other actual outlays shall be paid in the usual manner on the usual lawful vouchers to that effect certified or approved by the commanding officer or the officer charged with the payment of the same such annual expenses except as hereinafter provided in no event to exceed

[Five thousand dollars (\$5,000)] Ten thousand dollars (\$10,000) for a State Staff

Ten thousand dollars (\$10,000) for a Division Headquarters

Five thousand dollars (\$5,000) for an Anti-Aircraft Artillery Brigade

Five thousand dollars (\$5,000) for an Air Wing National Guard

[Two thousand dollars (\$2,000)] Three thousand dollars (\$3,000) for a Regimental Headquarters to include travel and other expenses of battalions and separate units attached to Regiments

One thousand dollars (\$1,000) or a Headquarters 166th Field Artillery Battalion

One thousand dollars (\$1,000) or a Headquarters Field Artillery Brigade

One thousand dollars (\$1,000) for a Headquarters of each Separate Battalion

[One thousand dollars (\$1,000)] Two thousand dollars (\$2,000) for Headquarters Corps Field Artillery

One thousand dollars (\$1,000) for Headquarters Cavalry Reconnaissance Squadron

Five hundred dollars (\$500) for each Headquarters AA Searchlight Battalion

[Two hundred fifty dollars (\$250)] Seven hundred fifty dollars (\$750) for each Headquarters Anti-aircraft Artillery Group Artillery Group or any other Group Headquarters

Two hundred fifty dollars (\$250) for Headquarters Aircraft Control and Warning Group

Two hundred fifty dollars (\$250) for Headquarters Aircraft Control Squadron

Two hundred fifty dollars (\$250) for Headquarters Aircraft Communication Squadron

Two hundred fifty dollars (\$250) for Headquarters Light Bombardment Group

Two hundred fifty dollars (\$250) for Headquarters Light Bombardment Squadron

Two hundred fifty dollars (\$250) for Headquarters Engineer Aviation Battalion

Two hundred fifty dollars (\$250) for Headquarters Fighter Group

The Adjutant General shall publish to all organizations a list of authorized expenditures and his decision as to whether any item shall be properly chargeable against these funds shall be final

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Coats,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

### NAYS—0

### NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,  
The House proceeded to the third reading and consid-  
eration of Senate Bill No. 242, as follows:

An Act making an appropriation to the trustees of Penn-  
sylvania State College for expenditure by the School  
of Mineral Industries thereof for the purpose of study-  
ing the question of burning gob piles  
The General Assembly of the Commonwealth of Penn-  
sylvania hereby enacts as follows:

Section 1 The sum of fifteen thousand dollars (\$15,000)  
or as much thereof as may be necessary is hereby specifi-  
cally appropriated to the trustees of Pennsylvania State  
College for the two fiscal years beginning the first day of  
June one thousand nine hundred forty-nine for expendi-  
ture by the School of Mineral Industries for the purpose  
of research and investigation into the problem of burning  
gob piles and to discover ways and means of eliminating  
and preventing burning gob piles for employing technical  
experts assistants clerks stenographers and other employes  
and for purchasing such machinery supplies equipment  
apparatus and other things necessary to carry out the  
aforesaid research and investigation

Section.2 The moneys herein appropriated shall be  
available and expended only to the extent that a sum  
equal to the amount to be expended by the Commonwealth  
has been procured and made available by the members  
of the bituminous coal industry

And said bill having been read at length the third time,  
considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the  
yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,

Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted  
in the affirmative, the question was determined in the  
affirmative.

Ordered, That the Clerk return the same to the Senate  
with information that the House of Representatives has  
passed the same without amendment.

Agreeably to order,  
The House proceeded to the third reading and consid-  
ertaion of Senate Bill No. 243, as follows:

An Act to consolidate amend and revise the penal laws  
of the Commonwealth

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#### Article XII Acts of Assembly Repealed

Section 1201 Repeals  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

#### Article I

##### Preliminary Provisions

###### Section 101 Short Title

This act shall be known and may be cited as "The Crimes Act"

###### Section 102 Effective Date

This act shall become effective on the first day of January one thousand nine hundred and fifty

###### Section 103 Felonies and Misdemeanors

All crimes which are punishable by imprisonment of more than three (3) years are felonies all other crimes are misdemeanors

###### Section 104 Definitions

When used in this act the following words and phrases shall be construed as defined in this section except where a different intent is plainly set forth in the provision to be construed or the context clearly indicates otherwise

"Another" is coextensive with "person"

"Appointed officer" is any officer selected in any way other than by the voters of the Commonwealth or of any of its political subdivisions

"Armed forces of the United States" includes the United States Army Navy Marine Corps Air Force and Coast Guard and all the components thereof

"Assignment" shall mean the making of an appointment or engagement for prostitution or any act in the furtherance of such appointment or engagement

"Association" is any combination of persons acting together as an organization

"Banking institution" includes any national state or private bank bank and trust company trust company saving fund society federal savings and loan association and any building and loan association

"Crime" is any act or omission which is indictable or which may be proceeded against by information except summary offenses

"Elected officer" is any officer selected by the voters of the Commonwealth or of any of its political subdivisions

"Horse" includes any member of the Equidae family

"Machine gun" is any firearm which fires two or more pellets successively by a single application of the trigger or other firing device

"Magistrate" includes justice of the peace alderman and any other officer having by law the powers of a committing magistrate

"Mental hospital" includes any state semi-state or licensed hospital institution school or place public or private for the care of mental patients

"Night time" is the period between sunset and sunrise

"Offense" is any act or omission which is indictable or which may be proceeded against by information or by summary proceeding

"Peace officer" includes sheriff deputy sheriff constable member of the Pennsylvania State Police or other police officer invested with authority to arrest

"Person" includes any individual association corporation partnership society union political entity or any subdivision thereof and any entity which is recognized by law When the word "person" is used in connection with other words enumerating specific forms of persons included within this definition such enumeration shall not be construed to diminish the meaning of the word "person" as herein defined unless such diminution is expressly declared to be intended thereby

"Property" includes real and personal property all

written and printed instruments which are evidences of debts or contracts or concern rights to real or personal property or will create rights and privileges or things growing upon or attached to and included within real property and anything of value to a "person"

"Prostitution" is the offering or using of the body for sexual intercourse for hire

"Public conveyance" is any vehicle which is principally used to transport the public or the public's property from place to place

"Transportation company" is a person engaged in the business of transporting persons or property from place to place

"Vehicle" includes any article which is or may be used for the transportation or movement of persons or property on land water or in the air

###### Section 105 Offenses Committed Prior to Effective Date

The provisions of this act shall not apply to offenses committed before the effective date hereof but such offenses shall be prosecuted and the prosecutions concluded under the provisions of law in force at the time the offense was committed For such purposes the laws repealed by this act shall remain in effect

###### Section 106 Interpretation

Each lettered paragraph in a section shall be considered as disjunctive

#### Article II

##### Offenses Against Government

###### Section 201 Treason

Whoever owing allegiance to the Commonwealth of Pennsylvania levies war against the same or against the United States or adheres to the enemies of either giving them aid or comfort within the Commonwealth or elsewhere upon conviction thereof on the testimony of two witnesses to the same overt act of the treason whereof he stands indicted or upon a plea of guilty shall be imprisoned for a term of years not exceeding the life of the offender or fined not exceeding fifteen thousand dollars (\$15,000) or both

###### Section 202 Misprision of Treason

Whoever has knowledge of any treason punishable by the laws of this Commonwealth and conceals or does not disclose and make known the same as soon as possible to the Governor or Attorney General of the Commonwealth or to the district attorney or a judge of the county in which said person lives shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

###### Section 203 Levying War and Assisting Enemies of the Commonwealth or the United States

Whoever owing allegiance to or residing in this Commonwealth and under the protection of its laws takes a commission from any enemy of the Commonwealth or of the United States or aids or assists any enemy in open war against this Commonwealth or the United States in any manner or who carries on traitorous correspondence with an enemy of the Commonwealth or of the United States or is in anywise concerned in forming any combination for betraying this Commonwealth or the United States into the hands or power of any enemy or knowingly furnishes any intelligence to the enemies of this Commonwealth or the United States or does any act with the intent to oppose or subvert the government of this Commonwealth or the United States in recruiting and maintaining armed troops in times of war shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

This section does not prohibit the taking or receiving of civil commissions for the acknowledgment of deeds and other instruments in writing

###### Section 204 Privateering Against the United States

Whoever in any manner furnishes alters fits out or constructs any vehicle for the purpose of privateering or making war against the United States or to resist by force or otherwise the execution of the laws of the United States shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

### Section 205 Serving on Vehicle Carrying Contraband of War

Whoever within this Commonwealth or while owing allegiance to this Commonwealth serves within or without this Commonwealth in any capacity or any vehicle carrying any contraband of war designed for conveyance to or delivery at any place within any state or country with which the United States is at war with knowledge of such unlawful traffic shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

### Section 206 Enlisting Troops for any other State or Country

Whoever recruits or enlists any person to serve in the armed forces of any state or country other than this Commonwealth or the United States or in any way procures any person to leave this Commonwealth for the purpose of enlisting in the armed forces of any state or country other than this Commonwealth or the United States shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

### Section 207 Sedition

Whoever with intent to accomplish political reform or change in or the overthrow of the government of this Commonwealth

(a) Engages or attempts to engage in violence or any form of terrorism

(b) Damages or destroys or attempts to damage or destroy any public property or the property of any public official because the owner or occupant is in an official position

(c) Injures or attempts to injure any officer of this Commonwealth because of his official position

(d) Commits any overt act with the view of bringing the government of this Commonwealth into hatred or contempt

(e) Advocates or teaches in any manner whatever the duty necessity or propriety of engaging in violence or any form of terrorism as a means of accomplishing political reform or change in or the overthrow of the government of this Commonwealth

(f) Sells gives away or distributes or prints any publication document or written matter in any form which advocates or teaches such acts as a means of accomplishing political reform or change in or the overthrow of the government of this Commonwealth

(g) Organizes or helps to organize any assembly society or group which has as one of its policies or purposes the use or advocacy of violence or any form of terrorism as a means of bringing about the political reform or change in or the overthrow of the government of this Commonwealth or with knowledge that any such assembly society or group has as one of its policies or purposes the use or advocacy of violence or any form of terrorism as a means of bringing about the political reform or change in or the overthrow of the government of this Commonwealth becomes or remains a member thereof shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

### Section 208 Display of Flag at Public Meetings

Whoever being directly or indirectly in charge of any public gathering in any place fails at such gathering to display publicly and visibly the flag of the United States reasonably clean and in good repair shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

This section does not apply to gatherings for religious worship

The provisions of this section do not prohibit the exhibition of torn soiled or worn flags of the United States which have historical significance when exhibited in conjunction with the type of flag herein required

### Section 209 Red Flag in Public Processions or Public Gatherings

Whoever carries or displays a red flag in or in connection with any public procession or public gathering shall

be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

### Section 210 Insults to National or State Flag

Whoever maliciously takes down defiles injures removes or in any manner damages insults or destroys any American flag or the flag of this Commonwealth which is displayed anywhere shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

### Section 211 Desecration of Flag

Whoever in any manner

(a) For exhibition or display places any marks writing or design of any nature or any advertisement upon any flag

(b) Exposes to public view any such marked or defiled flag

(c) Manufactures sells exposes for sale gives away or has in his possession for any of such purposes any article which uses the flag for the purposes of advertisement sale or trade

(d) Publicly or privately mutilates defaces defiles or tramples upon or casts contempt in any manner upon any flag shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

The word "flag" as used in this section shall include any flag standard color ensign or any picture or representation of any thereof made of any substance or represented on any substance and of any size purporting to be a flag standard color or ensign of the United States or of this Commonwealth or a picture or a representation of any thereof upon which shall be shown the colors or any color or any combination of colors or either the stars or the stripes or the stars and the stripes in any number of either thereof or anything which the person seeing the same may reasonably believe the same to represent the flag colors standard or ensign of the United States or of this Commonwealth

This section does not apply to any act permitted by the statutes of the United States or by the regulations of the armed forces of the United States nor in a case where the government of the United States has granted the use of such flag standard color or ensign as a trade mark nor does it apply to any writing or instrument or stationery for use in correspondence on any of which shall be printed painted or placed said flag disconnected from any advertisement for the purpose of sale or trade nor does it apply to any patriotic or political demonstration or decorations

### Section 212 Discrimination on Account of Uniform

Whoever being the proprietor manager or employe of a theatre hotel restaurant or other place of public entertainment or amusement discriminates against any person wearing the uniform of the armed forces of the United States because of that uniform shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

### Section 213 Refusal to Obey Legislative Subpoena

Whoever wilfully neglects or refuses to appear and testify before any committee of either branch of the General Assembly or before any joint committee thereof after being duly served with a subpoena to so appear or is in contempt by reason of any such neglect or refusal so to appear and testify or either shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

## Article III

### Offenses Against Public Justice and Administration

**Section 301 Procuring Unlawful Arrest or Prosecution**  
Whoever with knowledge that the charge is false procures another to be complained of arrested or indicted for a crime shall be subject to the same term of imprisonment or to the same fine or both as prescribed for the crime of which such other person is falsely charged

### Section 302 Bribery and Extortion

Whoever

(a) By threat intimidation or promise or by the gift or

offer of any property influences or endeavors to influence any public officer or employe of this Commonwealth or of any political subdivision thereof or any juror referee or arbitrator in any matter or thing whatsoever relating to the duties imposed upon him

(b) Being a public officer or employe of this Commonwealth or of any political subdivision thereof or any juror referee or arbitrator receives or agrees to receive demands or solicits any promise or property other than the compensation allowed by law by color of his office or for the performance or nonperformance of any duty imposed upon him

(c) Solicits demands or receives any promise or property for the purpose or under the pretext of corruptly influencing the official action of any public officer or employe of this Commonwealth or of any political subdivision thereof

(d) Violates section 29 or 30 of Article III of the Constitution of this Commonwealth shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

#### Section 303 Corrupt Solicitation

Whoever

(a) Directly or indirectly by offer or promise of money office appointment employment testimonial or other thing of value or by threats or intimidation endeavors to influence any member of the General Assembly State county election municipal or other public officer in the discharge performance or nonperformance of any act duty or obligation pertaining to such office

(b) Follows the occupation or practice of soliciting members of either House of the General Assembly or public officers of the State or of any political subdivision thereof to corruptly influence their official action shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

#### Section 304 Barratry

Whoever vexes others with unjust and vexatious suits shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 305 Compounding Felonies

Whoever compounds a felony shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

#### Section 306 Embracery

Whoever with intent to influence corruptly any juror arbitrator referee auditor or master selected or appointed according to law with respect to the discharge of his duty either before or after he is selected summoned appointed or sworn endeavors in any manner to bias his mind or judgment shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 307 Prison Breach

Whoever

(a) Being in lawful custody or lawfully detained in any place for any reason other than a commitment following a plea or verdict of guilty in a criminal action or a judgment of conviction by a criminal court breaks such place of detention although no escape is actually made or who escapes from such place of detention or custody shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

(b) Being in lawful custody or imprisoned in any prison or jail upon commitment following a plea or verdict of guilty in a criminal action or upon summary conviction or a judgment of conviction by a criminal court breaks prison although no escape is actually made or who escapes from such jail or prison or custody shall be imprisoned not exceeding ten (10) years and the sentencing judge may designate in which institution the unserved portion of sentence and the additional sentence shall be served

#### Section 308 Furnishing Contraband Articles to Inmates

Whoever without the permission of the person in charge of such institution furnishes to any person confined in any official place of detention or in any mental hospital or either directly or indirectly disposes of in such a man-

ner or in any place any weapon or implement readily adaptable as a weapon or any intoxicating liquids or any drug acid medicine or poison except the ordinary hospital supply of the place of detention or mental hospital with the intent that it be secured by any person confined in the official place of detention or mental hospital shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

#### Section 309 Taking Articles Into or Out of Institutions

Whoever in violation of the rules of any official place of detention or mental hospital brings anything into or takes anything out of such institution shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 310 Voluntary Escape

Whoever having lawful custody of any person convicted or accused of crime voluntarily permits or suffers such person to escape shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

#### Section 311 Negligent Escape

Whoever having lawful custody of any person convicted or accused of crime through gross negligence permits or suffers such person to escape shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 312 Failure to Arrest

Whoever being required by lawful process directed to him to apprehend or confine any person wilfully and without reasonable cause refuses or omits to execute such process shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

#### Section 313 Obstructing an Officer

Whoever

(a) By means of threat menace or violence deters or prevents any officer agent or employe of this Commonwealth or of any political subdivision thereof knowing him to be such from performing any duty imposed by law upon such officer agent or employe shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

(b) After having been required by any officer agent or employe of this Commonwealth or of any political subdivision thereof knowing him to be such officer agent or employe neglects or refuses without reasonable cause to assist such officer agent or employe in the performance of his duty in any criminal case or in the preservation of the peace or in apprehending or securing any person for a breach of the peace shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 314 Aiding Escape from Institution

Whoever in any manner knowingly aids or assists any person confined in any official place of detention or any mental hospital or any institution where persons are lawfully restrained of their liberty to make or attempt to make an escape therefrom shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

#### Section 315 Aiding Escape from Custody

Whoever in any manner knowingly aids or assists any person to escape from the custody of any person having lawful custody of such person shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 316 Impersonating an Officer

Whoever knowing himself not to be such falsely assumes to act as or falsely represents himself to be an elective or appointive officer or peace officer of this Commonwealth or of any political subdivision thereof shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 317 Impersonating persons and officers privately employed

Whoever without authority pretends to be or holds himself out to anyone as an employe of any person for the

purpose of gaining access to any premises shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 318 Perjury and False Swearing.

Whoever

(a) Upon oath or affirmation legally administered wilfully and corruptly gives false testimony or wilfully and corruptly makes false written statements upon matters material to any issue in any lawfully constituted judicial or legislative proceeding before any person tribunal committee or body empowered by law or appointment of any court to receive or require oral testimony or written statement under oath or affirmation or in the taking of an oath or affirmation required by any act of Assembly of this Commonwealth or wilfully and corruptly procures or suborns another to do the same shall be imprisoned not exceeding seven (7) years or fined not exceeding seven thousand dollars (\$7000) or both and upon conviction thereof shall except as otherwise provided by law be disqualified thereafter from being a witness

(b) Under circumstances other than as provided in subsection (a) herein upon oath or affirmation legally administered and authorized or required by law wilfully and corruptly makes false statements shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 319 Hindering Witnesses

Whoever knowingly dissuades hinders or prevents any witness from obeying the mandate of any lawful subpoena lawfully served shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 320 Absconding Witness

Whoever having been lawfully subpoenaed to testify before any person tribunal committee or body wilfully and wrongfully refuses to appear and testify or wilfully conceals himself or departs from this Commonwealth or the jurisdiction of such person tribunal committee or body to avoid appearing and testifying shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

This section shall not apply to subpoenas issued by a tribunal having the power to punish for contempt

### Article IV

#### Offenses Against the Public Peace

##### Section 401 Unlawful Assembly and Affray

Whoever participates in any unlawful assembly riot or affray shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

##### Section 402 Resistance to Authority

Whoever participates in any unlawful assembly riot or affray the purpose of which is directly to resist the immediate enforcement of the laws of the United States or of this Commonwealth or any of its political subdivisions shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

##### Section 403 Forcible Entry or Expulsion

Whoever by force threats or menacing conduct unlawfully enters upon or into any lands or buildings or after entering peaceably turns out by force or by threats or by menacing conduct the person in possession shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

##### Section 404 Forcible Detainer

Whoever by force threats or menacing conduct unlawfully holds and keeps possession of any lands or buildings or any part thereof whether the possession was obtained peaceably or otherwise shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both and shall make restitution of the lands and tenements unlawfully detained

No person shall be adjudged guilty of this crime if such person by himself or by those under whom he claims has

been in peaceable possession for three (3) years next preceding such alleged forcible detention

##### Section 405 Disturbing Public Assemblies

Whoever without lawful authority wilfully disturbs any assembly parade or procession shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

##### Section 406 Disorderly Conduct

Whoever wilfully disturbs the public peace shall upon conviction thereof in a summary proceeding be fined not exceeding twenty dollars (\$20) and in default of payment thereof shall be imprisoned not exceeding twenty (20) days

Where such disturbance of the peace occurs in a public conveyance the person in charge thereof may arrest on view any person so disturbing the peace and shall deliver such person into the custody of a peace officer for a hearing

##### Section 407 Duelling

Whoever engages in a duel with any deadly weapon or in any manner challenges another to fight such duel shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

##### Section 408 Libel

Whoever writes prints publishes or exhibits any malicious or defamatory libel tending either to blacken the memory of any person who is dead or the reputation of any person who is alive thereby exposing such person to public hatred contempt or ridicule shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both No person shall be indicted for the same libel in more than one county

##### Section 409 Furnishing False or Libelous Statements

Whoever maliciously states delivers or transmits by any means whatever to the managing editor publisher reporter or agent of any newspaper magazine publication periodical or to the writer or author of any editorial or article for publication therein any false or libelous statement shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

##### Section 410 Furnishing False or Libelous Matter for Broadcasting

Whoever maliciously states delivers or transmits by any means whatever to the owner agent or employe of a radio television or facsimile broadcast station or studio or to any person intending the same for broadcasting any false or libelous statement view scene or matter shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

##### Section 411 Anonymous Communications

Whoever sends to another any written or printed communication or matter which fails to disclose his identity and which is either defamatory scurrilous opprobrious or threatening shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

##### Section 412 Unsponsored Statements Relating to Candidates

Whoever publishes any printed or written matter designed or tending to injure or defeat any candidate for nomination or election to public office by reflecting upon his personal character or political actions unless such matter is published in a newspaper avowedly responsible therefor or unless there appears upon such matter in a conspicuous place the names of at least two officers of the political or other organization issuing or sponsoring such matter or the name of a duly registered elector with the description of his election district as responsible therefor shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

##### Section 413 Carrying Deadly Weapons

Whoever carries any deadly weapon on his person or in a vehicle with the intent to commit an assault on any other person shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

The jury trying the case may infer such intent where they find from the evidence that the defendant carried such weapon concealed on his person

#### Section 414 Carrying Explosives and Noxious Substances

Whoever carries on his person or in a vehicle any explosive substance or any noxious gas or corrosive substance with the intent to use the same unlawfully against the person or property of another shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

#### Section 415 Loitering and Prowling at Night Time

Whoever shall be found at night time maliciously loitering or maliciously prowling around a dwelling house or any other place used wholly or in part for living or dwelling purposes belonging to or occupied by another shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

### Article V

#### Offenses Against Public Morals and Decency

##### Section 501 Sodomy

Whoever carnally knows in any manner any animal or bird or carnally knows any male or female person by the anus or by or with the mouth or whoever voluntarily submits to such carnal knowledge shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Any sexual penetration however slight shall be sufficient to complete the offense of sodomy

##### Section 502 Bigamy

Whoever having a husband or wife living marries another person whether they cohabit thereafter as man and wife or not shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Such marriages shall be void and the clerk of the court in which such conviction shall be had shall certify the same to the Bureau of Vital Statistics

The above section does not apply to a person whose lawful husband or wife has been absent for five (5) years successively then last passed without being known to him or her within that time to be living and believed by him or her to be dead

##### Section 503 Single Person Marrying Spouse of Another

Whoever being unmarried marries a married person knowing such person to be married whether they cohabit thereafter as man and wife or not shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Such marriages shall be void and the clerk of the court in which such convictions shall be had shall certify the same to the Bureau of Vital Statistics

##### Section 504 Adultery

Whoever being married has carnal knowledge of a person of the opposite sex not his lawful spouse shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

##### Section 505 Fornication

Whoever being unmarried has carnal knowledge of a person of the opposite sex shall be fined not exceeding one hundred dollars (\$100)

##### Section 560 Incest

Whoever knowingly has carnal knowledge of or marries another within the degree of consanguinity as defined in the following table shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

#### Degrees of Consanguinity

(a) A man and his mother his father's sister his mother's sister his sister his daughter and the daughter of his son or daughter

(b) A woman and her father her father's brother her mother's brother her brother her son and the son of her son or daughter

##### Section 507 Seduction

Whoever by promise of marriage or by a fraudulent representation that he is married to her seduces any unmarried female of good repute and under the age of twenty-one shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

The promise of marriage shall not be deemed established unless the testimony of the female seduced is corroborated The subsequent marriage of the parties shall be a bar to a prosecution for a violation of this section

##### Section 508 Prostitution and Assignment

Whoever commits prostitution or uses any premises or vehicle for such purposes or knowingly permits any premises or vehicle owned by him or under his control to be used for prostitution or assignation or directs takes transports or offers or agrees to direct take or transport any person to any premises or vehicle knowing that the purpose of such directing taking or transporting is prostitution or assignation shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

In the trial of any person charged with the violation of any of the provisions of this section testimony concerning the reputation of the defendant the premises or vehicle and of the person or persons who reside in or frequent the same shall be admissible

##### Section 509 Prostitution of Female Child

Whoever takes any female under the age of eighteen (18) years from the custody of her parent or other person charged with her care for the purpose of prostitution shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

##### Section 510 Permitting Female Child in Places of Vice

Whoever being a parent or other person charged with the care of any female under the age of eighteen (18) years knowingly permits such female to be or remain in any place of prostitution or assignation or in any place wherein narcotics or other drugs are used unlawfully shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

No person shall be incompetent as a witness or his testimony rendered inadmissible by reason of marriage to any person prosecuted under this section

##### Section 511 Forcing Wife in House of Prostitution

Whoever by force fraud intimidation or threat places his wife or procures any other person to place such wife in a place of prostitution shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

No person shall be incompetent as a witness or his testimony rendered inadmissible by reason of marriage to any person prosecuted under this section

##### Section 512 Inducing and Fostering Prostitution

Whoever

(a) Solicits procures or induces or receives any consideration for attempting to procure or induce by any means whatsoever any female to become a prostitute within this Commonwealth or to enter or to leave this Commonwealth for such purpose

(b) For no consideration receives levies or appropriates any of the earnings of any prostitute or the proprietor of any house of prostitution

(c) Knowingly detains or attempts to detain any female in any house of prostitution because of a debt she has contracted or is said to have contracted while living in such house.

(d) Knowingly for personal gain transports by any vehicle into through or across this Commonwealth any female for the purpose of prostitution shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

##### Section 513 Forced Marriage

Whoever by force or threats of bodily injury compels a person to marry shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

##### Section 514 Disorderly House

Whoever keeps and maintains a disorderly house to the common nuisance or disturbance of the neighborhood or orderly citizens shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

##### Section 515 Loitering in Disorderly or Bawdy House

Whoever having no trade or occupation stays frequent or loiters in any house of prostitution or assignation or disorderly house shall be imprisoned not exceeding one

1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 516 Indecent Assault

Whoever commits an indecent assault upon the person of any child of either sex under the age of sixteen (16) years shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

#### Section 517 Contributing to Child's Delinquency

Whoever encourages causes or contributes to the delinquency of any child of either sex under the age of eighteen (18) years shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

#### Section 518 Public Indecency

Whoever wilfully and publicly does any act of lewdness or indecency shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

#### Section 519 Public Exhibition of Defective Persons

Whoever publicly exhibits in any place for any consideration any deformed or mentally unsound person shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

#### Section 520 Removal of Body from Tomb

Whoever wilfully and unlawfully opens any tomb grave or other place wherein human bodies are interred and removes any body or remains therefrom shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

#### Section 521 Blasphemy

Whoever wilfully and premeditatedly blasphemes God Jesus Christ the Holy Spirit or the Holy Scriptures shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

#### Section 522 Obscenity

Whoever

(a) Uses or has control of any premises or equipment and knowingly permits another to use such premises or equipment for the production or reproduction of any obscene lewd sacrilegious or indecent matter

(b) Produces or reproduces any obscene lewd sacrilegious or indecent matter

(c) Sells publishes advertises or distributes or possesses for sale publication advertisement or distribution any obscene lewd sacrilegious or indecent matter knowing the matter to be of such character

(d) Publishes or advertises information as to where any obscene lewd sacrilegious or indecent article matter show or other representation can be purchased obtained seen heard or otherwise had knowing it to be of such character

(e) Makes any obscene lewd sacrilegious or indecent writing drawing or other representation in any public place

(f) Gives or participates in or being the owner of any premises or having control thereof permits within such premises any obscene lewd sacrilegious or indecent theatrical performance motion picture pictorial or auditory representation

(g) In any manner exhibits any obscene lewd sacrilegious or indecent article or matter shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 523 Information Concerning Unlawful Medical Practices

Whoever prints publishes advertises sells distributes or possesses for sale or distribution any information concerning or uses or having control of any premises knowingly permits another to use such premises for the printing publication advertisement sale or distribution of information concerning

(a) Any drug nostrum medicine or instrument purporting to be for the use of females to prevent conception or to procure abortion

(b) Any treatment or cure for the diseases of the generative organs

(c) Any treatment or cure for diseases peculiar to females

(d) Any treatment or cure for venereal disease or sexual weakness or impotency

(e) Any treatment or cure for drug addiction or sexual malhabits shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

The above section shall not apply to the lawful practice of medicine or instructions or publications incidental thereto

### Article VI

#### Offenses Against Public Policy Economy and Health

##### Section 601 Lotteries etc

Whoever

(a) Sets up or maintains any lottery or numbers game

(b) Manufactures or prints or sells exposes to sale or has in his possession with intent to sell any lottery or numbers ticket or share or any writing token or other device purporting or intending to entitle the holder or bearer or any other person to any prize to be drawn or obtained in any lottery or numbers game

(c) Publishes any advertisement of any lottery or numbers game shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

The purchaser of any such ticket or device shall not be liable to any prosecution or penalty arising out of this crime and shall in all respects be a competent witness to prove the offense

All lotteries or numbers games are hereby declared to be common nuisances Every transfer of property which shall be in pursuance of any lottery or numbers game is hereby declared to be invalid and void

##### Section 602 Gambling

Whoever

(a) Wilfully or knowingly makes assembles sets up maintains sells lends leases gives away or offers for sale loan lease or gift any punch board drawing card slot machine or any device to be used for gambling purposes except playing cards

(b) Allows persons to collect and assemble for the purpose of gambling at any place under his control

(c) Solicits or invites any person to visit any gambling place for the purpose of gambling

(d) Engages in gambling for a livelihood

(e) Is without any fixed residence and is in the habit or practice of gambling

(f) Being the owner tenant lessee or occupant of any premises knowingly permits or suffers the same or any part thereof to be used for the purpose of gambling shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

##### Section 603 Pool Selling and Book Making

Whoever

(a) Engages in pool selling or book making

(b) Occupies any place for the purpose of receiving recording or registering bets or wagers or of selling pools

(c) Receives records registers forwards or purports or pretends to forward to another any bet or wager upon the result of any political nomination appointment or election or upon any contest of any nature

(d) Becomes the custodian or depository for gain or reward of any property staked wagered or pledged or to be staked wagered or pledged upon any such result

(e) Being the owner lessee or occupant of any premises knowingly permits or suffers the same to be used or occupied for any such purposes shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

##### Section 604 Opium Joints etc

Whoever

(a) Sets up establishes maintains keeps or exhibits any apparatus device or instrument whereby any narcotics opiates or habit forming drugs may be used unlawfully in any manner by other persons

(b) Procures permits suffers or allows any person to be

at a place under his control for the purpose of using unlawfully any narcotics opiates or habit forming drugs in any manner

(c) Solicits invites or prevails upon any person to visit any place kept for the purpose of using unlawfully any narcotics opiates or habit forming drugs

(d) Being the owner tenant lessee or occupant of any premises leases hires or rents the same or any part thereof to be used and occupied for the purpose of using unlawfully any narcotics opiates or habit forming drugs in any manner shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

#### Section 605 Using Drugs in Opium Joints

Whoever uses narcotics opiates or habit forming drugs in any place set up or established for the unlawful use thereof shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

#### Section 606 Public Nuisances

Whoever erects sets up establishes maintains keeps up or continues any public or common nuisance shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Where the nuisance is in existence at the time of the conviction and sentence the court in its discretion may direct either the defendant or the sheriff of the county at the expense of the defendant to abate the same

All obstructions to private roads laid out according to law shall be nuisances which would be nuisances in cases of obstructions to public roads or highways

#### Section 607 Excessive Sports etc

Whoever participates in any athletic contest or exhibition for more than twelve hours in any calendar day or promotes or manages any such contest or exhibition in which any contestant so participates shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 609 Tramps

Whoever goes about from place to place begging asking or subsisting upon charity and for the purpose of acquiring money or a living and who has no fixed place of residence or lawful occupation in the county or city in which he is arrested shall be deemed to be a tramp and shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

This section does not apply to any minor under the age of sixteen (16) years nor to any blind deaf or dumb person nor to any maimed or crippled person who is unable to perform manual labor

#### Section 610 Tramps Entering Buildings etc

Whoever being a tramp

(a) Enters any premises against the will or without the permission of the owner or occupant thereof

(b) Kindles any fire on the highway or on the premises of another without the owner's consent

(c) Is found carrying any firearm or other dangerous weapon with intent unlawfully to do injury to or intimidate any person such intent may be inferred where it is found from the evidence that the defendant is a tramp and is so armed

(d) Does or threatens to do any injury not amounting to a felony to any person or to the property of another shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

This section does not apply to any minor under the age of sixteen (16) years nor to any blind deaf or dumb person nor to any maimed or crippled person who is unable to perform manual labor

#### Section 611 Shooting on Grounds of Hospitals Parks etc

Whoever discharges a firearm of any description except in defense of person or property or with the written consent of the owner or person controlling the same upon the fenced and posted grounds belonging to or connected with and controlled by those operating a public or private hospital or sanitarium or park or resort set apart to the use of the public and upon which human beings con-

gregate shall upon conviction thereof in a summary proceeding be fined not exceeding twenty-five dollars (\$25) for the first offense and in default of payment thereof shall be imprisoned not exceeding ten (10) days for each subsequent offense the offender shall be fined not exceeding fifty dollars (\$50) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Such lands shall be deemed fenced and posted if surrounded by a fence or single wire designating the boundaries thereof and posted with printed or painted notices not more than one hundred (100) yards apart along the line of the fence or wire stating the purpose for which the lands are set apart and that shooting on the lands is prohibited No privilege to hunt for game on such land shall be given by the owner or operator thereof to any person

Every peace officer and game protector shall arrest on view without warrant any person found violating any provision of this section

#### Section 612 Implements Discharging Pellets in Cities or Boroughs etc

Whoever without lawful excuse discharges within the limits of any city borough town or in the built-up portion of any township an implement which impels with force a pellet or pellets of any kind shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

This section shall not apply to the discharge of such implements upon properly constructed pistol or rifle ranges

#### Section 613 Sale or Lease of Weapons and Explosives to Minors

Whoever sells or exposes for sale or leases to any person under the age of sixteen (16) years any deadly weapon cartridge gun powder or other similar dangerous explosive substance shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both provided that the provisions of the section shall not be construed to prohibit hunting by minors under sixteen (16) years of age permitted under provisions of subsection (d) of section three hundred sixteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) and its amendments

#### Section 614 Uniform Firearms Act

##### (a) Definitions as Used in This Section

"Firearm" means any pistol or revolver with a barrel less than twelve inches any shotgun with a barrel less than twenty-four inches or any rifle with a barrel less than fifteen inches

"Crime of violence" means any of the following crime or an attempt to commit any of the same namely murder rape aggravated assault and battery assault with intent to kill with intent to commit a crime robbery burglary felonious entry and kidnapping

(b) Crimes Committed with Firearms If any person shall commit or attempt to commit a crime of violence when armed with a firearm contrary to the provisions of this section he may in addition to the punishment provided for the crime be punished also as provided by this section

(c) Former Convict Not to Own a Firearm etc N person who has been convicted in this Commonwealth or elsewhere of a crime of violence shall own a firearm or have one in his possession or under his control

(d) Firearms Not to be Carried Without a License Exceptions No person shall carry a firearm in any vehicle or concealed on or about his person except in his place of abode or fixed place of business without a license therefor as hereinafter provided

The provisions of subsection (d) shall not apply (I) to constables sheriffs prison or jail wardens or their deputies policemen of the Commonwealth or its political subdivisions or other law-enforcement officers (II) or to members of the armed forces of the United States or of the national guard or organized reserves when on duty (III)

or to the regularly enrolled members of any organization duly authorized to purchase or receive such weapons from the United States or from this Commonwealth (IV) or to the members of any organization incorporated under the laws of this Commonwealth engaged in target shooting with rifle pistol or revolver provided such members are at or are going to or from their places of assembly or target practice (V) or to officers or employees of the United States duly authorized to carry a concealed firearm (VI) or to agents messengers and other employees of common carriers banks or business firms whose duties require them to protect moneys valuables and other property in the discharge of such duties (VII) or to any person engaged in the business of manufacturing repairing or dealing in firearms or the agent or representative of any such person having in his possession using or carrying a firearm in the usual or ordinary course of such business (VIII) or to any person while carrying a firearm unloaded and in a secure wrapper from the place of purchase to his home or place of business or to a place of repair or back to his home or place of business or in moving from one place of abode or business to another (IX) or to persons licensed to hunt or fish in this Commonwealth provided that such persons are actually hunting or fishing or going to the places where they desire to hunt or fish or returning from such places or to persons training dogs Provided That such persons are actually training dogs during the regular training season Provided however That before any such exemption shall be granted to any person licensed to hunt or fish or who desires to train dogs such person shall at the time of securing his hunting or fishing license or any time after any such license has issued register with the county treasurer the make of the firearm he desires to carry and the caliber and number thereof on a blank to be furnished by the Commissioner of the Pennsylvania State Police The original registration shall be delivered to the person registering such firearm and a copy thereof shall be forwarded by the county treasurer to the Commissioner of the Pennsylvania State Police The county treasurer shall be entitled to collect a fee of fifteen (15) cents for each such registration of a firearm The registration of a firearm as herein provided shall be good only for the year for which the hunting or fishing license in connection with which it is granted is issued

Any such registration of a firearm may be revoked by the county treasurer issuing the same upon written notice to the holder thereof and any person aggrieved by the action of a county treasurer in revoking such registration may appeal from such action in the manner provided by subsection (j) of this section

(e) Police Heads in Cities and Sheriffs in Counties May Issue Licenses in Triplicate Fee Revocation The chief or head of any police force or police department of a city and elsewhere the sheriff of a county may upon the application of any person issue a license to such person to carry a firearm in a vehicle or concealed on or about his person within this Commonwealth for not more than one (1) year from date of issue if it appears that the applicant has good reason to fear an injury to his person or property or has any other proper reason for carrying a firearm and that he is a suitable person to be so licensed The license shall be in triplicate in form to be prescribed by the Commissioner of the Pennsylvania State Police and shall bear the name address description and signature of the licensee and the reason given for desiring a license The original thereof shall be delivered to the licensee the duplicate shall within seven days be sent by registered mail to the Commissioner of the Pennsylvania State Police and the triplicate shall be preserved for six years by the authority issuing said license The fee for issuing such license shall be fifty (50) cents which fee shall be paid into the county treasury except that if the applicant exhibits a resident hunter's license issued to him for the current license year the fee shall not be charged

Any such license to carry firearms may be revoked by

the person issuing the same at any time upon written notice to the holder thereof

(f) Persons to Whom Delivery Shall Not Be Made No person shall deliver a firearm to any person under the age of eighteen or to one he has reasonable cause to believe has been convicted of a crime of violence or is a drug addict an habitual drunkard or of unsound mind

(g) Time and Manner of Delivery Statement to be Signed by Purchaser Sales at Wholesale No seller shall deliver a firearm to the purchaser thereof until forty-eight (48) hours shall have elapsed from the time of the application for the purchase thereof and when delivered said firearm shall be securely wrapped and shall be unloaded At the time of applying for the purchase of a firearm the purchaser shall sign in triplicate and deliver to the seller a statement containing his full name address occupation color place of birth the date and hour of application the caliber length of barrel make model and manufacturer's number of the firearm to be purchased and a statement that he has never been convicted in this Commonwealth or elsewhere of a crime of violence The seller shall within six hours after such application sign and attach his address and forward by registered mail one copy of such statement to the chief or head of the police force or police department of the city or the sheriff of the county of which the seller is a resident the duplicate duly signed by the seller shall within seven days be sent by him with his address to the Commissioner of the Pennsylvania State Police the triplicate he shall retain for six (6) years This subsection shall not apply to sales at wholesale

(h) Retail Dealer Required to be Licensed No retail dealer shall sell or otherwise transfer or expose for sale or transfer or have in his possession with intent to sell or transfer any firearm without being licensed as hereinafter provided

(i) Issuance of Licenses Form to be Prescribed by the Commissioner of the Pennsylvania State Police Conditions Display of Firearms Prohibited License Fee Revocation The chief or head of any police force or police department of a city and elsewhere the sheriff of the county shall grant to reputable applicants licenses in form prescribed by the Commissioner of the Pennsylvania State Police effective for not more than one (1) year from date of issue permitting the licensee to sell firearms direct to the consumer subject to the following conditions in addition to those specified in subsection (g) hereof for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in this section

I The business shall be carried on only in the building designated in the license

II The license or a copy thereof certified by the issuing authority shall be displayed on the premises where it can easily be read

III No firearm shall be sold (a) in violation of any provision of this section nor (b) shall a firearm be sold under any circumstances unless the purchaser is personally known to the seller or shall present clear evidence of his identity

IV A true record in triplicate shall be made of every firearm sold in a book kept for the purpose the form of which may be prescribed by the Commissioner of the Pennsylvania State Police and shall be personally signed by the purchaser and by the person effecting the sale each in the presence of the other and shall contain the date of sale the caliber make model and manufacturer's number of the firearm the name address occupation color and place of birth of the purchaser and a statement signed by the purchaser that he has never been convicted in this Commonwealth or elsewhere of a crime of violence

One copy shall within six (6) hours be sent by registered mail to the chief or head of the police force or police department of the city or the sheriff of the county of which the dealer is a resident the duplicate the dealer shall within seven (7) days send to the Commissioner

of the Pennsylvania State Police the triplicate the dealer shall retain for six (6) years

V No firearm or imitation thereof or placard advertising the sale thereof shall be displayed in any part of any premises where it can readily be seen from the outside

The fee for issuing said license shall be ten dollars (\$10) which fee shall be paid into the county treasury

VI Any license granted under this subsection may be revoked by the person issuing the same upon written notice to the holder thereof

(j) Petition to Court of Quarter Sessions for Reversal Any applicant aggrieved by the refusal of his application for a license to carry a firearm or for a dealer's license or any person or retail dealer whose license has been revoked may file within thirty (30) days thereafter in the court of quarter sessions of his county a petition against the official who refused his application as defendant alleging therein in brief detail the refusal complained of and praying for reversal thereof Upon service of a copy of the petition upon the defendant returnable within ten (10) days from its date the defendant shall on or before the return day file an answer in which he may allege by way of defense the reason for his refusal and such other reasons as may in the meantime have been discovered Upon application of either party the cause shall be heard without delay The court may either sustain or reverse the action of the defendant If the defendant's action is reversed he shall forthwith issue the license upon payment of the fee A judgment sustaining a refusal to grant a license shall not bar after one (1) year a new application nor shall a judgment in favor of the petitioner prevent the defendant from thereafter revoking or refusing to renew such license for any proper cause which may thereafter occur The court shall have full power to dispose of all costs

(k) Loans on or Lending or Giving Firearms Prohibited No person shall make any loan secured by mortgage deposit or pledge of a firearm nor shall any person lend or give a firearm to another or otherwise deliver a firearm contrary to the provisions of this section

(l) False Evidence of Identity No person shall in purchasing or otherwise securing delivery of a firearm or in applying for a license to carry the same give false information or offer false evidence of his identity

(m) Altering or Obliterating Marks of Identification No person shall change alter remove or obliterate the name of the maker model manufacturer's number or other mark of identification on any firearm Possession of any firearm upon which any such mark shall have been changed altered removed or obliterated shall be prima facie evidence that the possessor has changed altered removed or obliterated the same

(n) Antique Firearms This section shall not apply to antique firearms unsuitable for use and possessed as curiosities or ornaments

(o) Violation Penalty Whoever violates any of the provisions of this section shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

(p) Short Title This section may be cited as the "Uniform Firearm Law"

(q) Uniformity This section shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

#### Section 615 Traffic in Machine Guns

Whoever sells gives transfers purchases owns or has in his possession any machine gun shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Nothing contained in this section shall prohibit the manufacture for and sale or gift of machine guns to the armed forces of the United States or of the Commonwealth of Pennsylvania or to any police department of this Commonwealth or of any political subdivision thereof nor shall prohibit the purchase or possession of machine guns by such governments and departments nor shall prohibit any organization branch camp or post of veterans

or any veteran in any war in which the United States was engaged from owning and possessing a machine gun as a relic providing the same has been rendered useless as a weapon and a permit for such ownership or possession has been obtained from the sheriff of the county which permit is at all times attached to such machine gun Any sheriff upon application and the payment of a fee of one dollar (\$1) to be paid into the county treasury may issue a permit for the ownership and possession of a machine gun by any veteran or any organization branch camp or post of veterans upon production to the sheriff of such evidence as he may require that such organization branch camp or post is a bona fide organization of veterans or that such veteran applicant is a veteran of good moral character and reputation and that the ownership and possession of such machine gun is actually desired as a relic and that the same has been rendered useless as a weapon The license shall be in triplicate in form to be prescribed by the Commissioner of the Pennsylvania State Police and shall bear the name address description and signature of the licensee and the reason given for desiring a license the original thereof shall be delivered to the licensee the duplicate shall within seven (7) days be sent by registered mail to the Commissioner of the Pennsylvania State Police and the triplicate shall be preserved for six (6) years by the authority issuing said license

#### Section 616 Commission of Crime when Armed with Machine Gun

Whoever commits or attempts to commit any crime while armed with a machine gun shall be imprisoned not exceeding twenty (20) years or fined not exceeding twenty thousand dollars (\$20,000) or both

The punishment imposed under this section shall be in addition to any punishment imposed for the crime committed or attempted while so armed and shall not run concurrently with such sentence

#### Section 617 Unlawful Firecrackers Fireworks etc

Whoever manufactures sells or offers for sale or has in his possession with intent to sell any firecracker or fireworks containing picric acid or picrates dynamite or other high explosive or any blank cartridge pellet or tablet composed of dynamite or other high explosive to be used in pistols hollow canes or any toy for explosive purposes or any firecracker containing gunpowder or any other explosive material over six inches in length or any firecracker from three and one-half inches to six inches in length which shall be more than three-quarters of an inch in diameter or any firecracker to the length of three and one-half inches which shall be more than one inch in diameter or any species of pyrotechnics fireworks tables pellets or cartridges containing picric acid or picrates dynamite or any other high explosive shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

This section does not apply to sparklers and colored fire normally used in parades processions and outdoor events

#### Section 618 Fire Ballons

Whoever sells or exposes for sale or buys or exchange or gives away or has in his possession any balloon made or intended to contain fire for the purpose of ascension or sends up or causes to ascend any balloon containing in or about it any fire shall be imprisoned not exceeding sixty (60) days or fined not exceeding two hundred dollars (\$200) or both

This section does not apply to a balloon in which human being ascends

#### Section 619 Dealing in Minors

Whoever trades barter buys or sells a minor shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

#### Section 620 Out-of-State Convict-Made Goods

Whoever knowingly sells or exchanges on the open market any goods wares or merchandise prepared or manufactured wholly or in part by convicts or prisoners of other states except convicts or prisoners on parole or probation shall be imprisoned not exceeding one (1)

ear or fined not exceeding one thousand dollars (\$1000) or both

Section 621 Unwholesome and Adulterated Provisions Liquors and Medicines

Whoever knowingly sells or exposes for sale any unwholesome adulterated or diseased food drink or medicine and whoever adulterates any food drink or medicine for the purpose of sale shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars (\$500) or both

Section 622 Dressed Carcasses of Lamb and Sheep

Whoever imports or sells any dressed carcasses of lamb or sheep without first removing from each carcass all hoofs shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50) and in default of payment thereof shall be imprisoned not exceeding ten (10) days

Section 623 Methyl and Wood Alcohol in Preparations

Whoever knowingly sells or offers for sale or has in his possession with intent to distribute or sell any food drug preparation or mixture of any kind intended for internal use which contains methyl or wood alcohol or knowingly sells or offers or exposes for sale or has in his possession with intent to sell or distribute or use upon or apply to the body of another any drug hair tonic bay rum or similar preparation intended for external use which contains methyl or wood alcohol shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

This section does not apply to veterinary remedies containing methyl or wood alcohol when such remedies are plainly and distinctly labeled in such manner as to indicate that they are intended solely for external use on animals nor does this section apply to medicated liniments for external use

Section 624 Sale of Poisons

Whoever sells or disposes of by retail any morphia trychnia arsenic prussic acid carbolic acid or corrosive sublimate except upon the prescription of a physician or upon the personal application of some respectable inhabitant of full age of the town or place in which such sale shall be made and without carefully and legibly marking or placing upon the label package bottle or other vessel or thing in which such poison is contained the word "poison" and unless when sold or disposed of otherwise than under the prescription of a physician the apothecary druggist or other person selling or disposing of the same notes in a register kept for that purpose the name and residence of the person to whom such sale was made and the date of such sale shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 625 Pollution of Drinking Water

Whoever poisons or pollutes water intended for drinking purposes shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 626 Employment and Use of Minors

Whoever being a parent or other person charged with the care of any minor under the age of eighteen (18) years permits such minor to be employed or used in and whoever employs or uses such minor in

- (a) Any exhibition or vocation dangerous to life or limb
  - (b) Any place where obscene indecent or illegal exhibition takes place
  - (c) Any street road or highway for the purpose of singing playing of musical instruments or begging
  - (d) Any place where wines or spirituous liquors are sold or given away or in any place connected by a passageway or entrance therewith
  - (e) Any mine or other underground works
- shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 627 Employment and Use of Minors in Theatres etc

Whoever employs or uses any minor under the age of sixteen (16) years in any dance hall theatre or place of entertainment shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars

(\$100) and in default of payment thereof shall be imprisoned not exceeding three (3) months

Section 628 Employment of Minors Without Consent of Parents or Other Person Charged With the Care Thereof

Whoever employs or uses any minor under the age of eighteen (18) years for the purpose of taking part in any theatrical performance athletic exhibition or for singing or playing on musical instruments without the consent of such minor's parent or other person charged with the care of such minor shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding three (3) months

Section 629 Admission of Minors to Theatres

Whoever being in charge of any theatre permits any minor under the age of sixteen (16) years to attend any performance in such theatre during the term of compulsory attendance of public schools as fixed by the Board of School Directors of the school district in which such theatre is situate and during the hours said schools in such district are in actual session unless the minor be accompanied by his parent or other responsible adult or unless such minor presents a permit signed by his teacher allowing him to be absent from school during school hours and permitting attendance at the theatre shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50) and in default of payment thereof shall be imprisoned not exceeding fifteen (15) days

Section 630 Sale or Furnishing of Cigarette Papers or Tobacco to Minors

Whoever sells gives or furnishes cigarette papers or tobacco in any form to any minor under the age of sixteen (16) years shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Section 631 Pawn Brokers Dealing with Minors

Whoever being a pawn broker or employe of a pawn broker makes a loan to a minor under the age of eighteen (18) years or receives property from such minor in pledge for loans made or to be made to such minor or to any other person shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Section 632 Pool and Billiard Rooms and Bowling Alleys

Whoever being a proprietor of or person in charge of any public pool room billiard room bowling saloon or tenpin alley permits such place to remain open between the hours of one o'clock Ante Meridian and six o'clock Ante Meridian on any week day or during any part of Sunday or knowingly allows any minor under the age of eighteen (18) years unless accompanied by his parent or other person charged with the care of such minor to be present in such places except for purposes of employment as provided by law shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Section 633 Discrimination on Account of Race Creed Color or Nationality

All persons within the jurisdiction of this Commonwealth shall be entitled to the full and equal accommodations advantages facilities and privileges of any places of public accommodation resort or amusement subject only to the conditions and limitations established by law and applicable alike to all persons

Whoever acting in any capacity directly or indirectly refuses withholds from or denies to any person any of the accommodations advantages facilities or privileges of any place of public accommodation resort amusement or means of transportation or directly or indirectly publishes circulates issues displays posts or mails any written or printed communication notice or advertisement to the effect that any of the accommodations advantages facilities and privileges of any such places shall be refused withheld from or denied to any person on account of race creed color religious sect denomination or nationality or that the pat-

ronage or custom thereof of any person belonging to or purporting to be of any particular race creed color religious sect denomination or nationality is unwelcome objectionable or not acceptable desired or solicited shall be imprisoned not exceeding ninety (90) days or fined not exceeding one hundred dollars (\$100) or both

The production of any such written or printed communication notice or advertisement purporting to relate to any such place and to be made by any person being the owner lessee proprietor superintendent or manager thereof shall be evidence in any civil or criminal action that the same was authorized by such person

A place of public accommodation resort amusement or means of transportation shall be deemed to include inns taverns roadhouses and hotels whether conducted for the entertainment of transient guests or for the accommodation of those seeking health recreation or rest all places where food or beverages of any kind are retailed for consumption on the premises and all places to which the public resort or are invited for amusement pleasure education health transportation or business and to include all facilities thereof

Nothing contained in this section shall be construed to include any institution club or place of accommodation resort or amusement which is in its nature distinctly private or to prohibit the mailing of a private communication in writing sent in response to a specific written inquiry

#### Section 634 Distribution of Samples of Candy Medicine Dyes etc

Whoever distributes or deposits any package parcel or sample of any medicine candy dyeing ink coloring or polishing compounds in any form of preparation upon the ground sidewalks porches yards or into or under doors or windows so that children may get possession of or secure the same shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days Nothing contained in this section shall prohibit such distribution to adult persons only

#### Section 635 Vending Machines and Mechanical Devices for Distribution of Drugs etc

Whoever offers for sale or sells or distributes by means of any vending machine or other mechanical device or uses any vending machine in or for the sale or distribution of any medicine drug poison or article intended for external or internal use in the cure mitigation treatment or prevention of disease in man or animal shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

The term "drug" as used in this section shall mean all medicinal substances and preparations recognized in the United States Pharmacopoeia and National Formulary or any supplements thereto and all substances and preparations intended for external or internal use in the cure mitigation treatment or prevention of disease in man or animal and all substances and preparations that contain medicinal or quasi-medicinal preparations such as those sold or produced primarily for their vitamin content intended to affect the structure or any function of the body of man or animal

#### Section 636 Carrying Explosives on Public Conveyance

Whoever enters into or upon any public conveyance used for the carrying of freight or passengers having in his possession or on his person any nitro-glycerine dynamite or explosives of the character thereof other than as freight regularly shipped as such shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

The conductor or person having charge and control of such public conveyance may arrest any person found violating the provisions of this section and detain such person until reaching a place where such person may be delivered to a peace officer

#### Section 637 Shipping Explosives

Whoever knowingly delivers to any transportation company any explosive material under any false or deceptive invoice or description or without informing such company at or before the time when such material is so delivered

of the true nature of the same and without having its container plainly marked with the name of the explosive material therein contained together with the word "dangerous" shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both and shall be responsible for all damages to persons or property directly or indirectly resulting from any explosion of any such material

Any transportation company upon affidavit made of the fact that any container tendered for transportation not in compliance with the provisions of this section is believed to contain explosive material may require such container to be opened and refuse to receive any such container unless such requirement is complied with If such container is opened and found to contain any explosive material the container and its contents shall be forthwith removed to any lawful place for the storing of explosives After conviction of the offender or after three (3) months from such removal the container with its contents shall be sold at public sale after ten (10) days notice of the time and place of such sale such notice shall be published once in one (1) newspaper in the county where such seizure shall have been made The proceeds of such sale after deducting therefrom the expenses of removal storage advertisement and sale shall be paid into the treasury of the county

#### Section 638 Railroad Employee Abandoning Train

Whoever being a railroad employee engaged in any strike or with a view to incite others to such strike or in furtherance of any combination or preconcerted arrangement with any other person to bring about a strike abandons a passenger or freight train at any place other than the end of his scheduled run or refuses or neglects to continue to discharge his duty or to proceed with such train to the end of his scheduled run shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars (\$500) or both

#### Section 639 Railroad Employee Refusing to Remove Car

Whoever being a railroad employee for the purpose of furthering the object of or lending aid to any strike or strikes organized or attempted to be maintained on any other railroad refuses or neglects in the course of his employment to aid in the movement over and upon the tracks of the company employing him of the cars of such other railroad company received therefrom in the course of transit shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars (\$500) or both

#### Section 640 Interfering with Railroad Employee

Whoever in aiding or furtherance of the objects of any strike upon any railroad interferes with molests or obstructs any railroad employee engaged in the discharge and performance of his duty as such shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars (\$500) or both

#### Section 641 False Fire Alarm

Whoever knowingly gives turns in or raises a false alarm of fire or falsely gives any common or recognized alarm of fire shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

#### Section 642 Soliciting or Receiving Property to Secure Employment

Whoever being an officer or employee of any employer of labor solicits demands or receives from any person any property for the purpose actual or alleged of obtaining for such person employment in the service of said employer or the continuing of such person in employment shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 643 Corruption of Agents Servants Employees and Fiduciaries

Whoever

(a) Offers or gives to any agent employee fiduciary or servant of another or to a member of his family or to anyone for his use or benefit any property without the knowledge and consent of the principal employer beneficiary or master as an inducement or reward for doing or omitting to do any act or for showing or forbearing to show any favor or disfavor by such agent employee fiduciary or servant in relation to the affairs or the business of his principal employer beneficiary or master

(b) Being an agent employe fiduciary or servant solicits accepts receives or takes any property as an inducement or reward for doing or omitting to do any act or for showing any favor or disfavor in relation to the affairs or the business of his principal employer beneficiary or master shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Nothing contained in this section shall apply to transactions between a principal employer beneficiary or master and his agent employe fiduciary or servant nor to that practice which is commonly known as "tipping"

Evidence shall not be admissible in any prosecution under this section to show that a gift or acceptance of any property is customary in any business trade or calling nor shall the customary nature of such transactions be any defense in any such proceeding or prosecution

#### Section 644 Using False Document with Intent to Defraud Employer

Whoever with intent to defraud

(a) Uses or gives to any agent employe or servant of another any receipt account invoice or other document in respect of which such other is interested which contains any statement which is false erroneous or defective in any material particular or which omits to state fully the fact of any property having been given or agreed to be given to such agent employe or servant

(b) Being an agent employe or servant of another approves or certifies such receipt account invoice or other document

shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 645 Coercion of Employes

Whoever being an employer or an officer agent or employe of any employer

(a) Coerces any employe of such employer by discharging him from employment because of his connection with any lawful labor organization

(b) Exacts from any applicant for employment by such employer any promise or agreement not to form or belong to a lawful labor organization

(c) In any way prevents or endeavors to prevent any employe from forming joining or belonging to a lawful labor organization

(d) Intimidates or threatens any employe with the loss of employment for failing or refusing to affix his signature to any petition which such employe has been solicited or requested to sign

(e) Interferes by any means direct or indirect with an employe's free and untrammelled connection with a lawful labor organization shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 646 Discontinuing Water Supply for Fire Protection

Whoever has undertaken to supply any city borough town or township with water for the purposes of fire protection and for any reason cuts off or otherwise refuses to continue the supply of water for such purposes unless and until water for such purposes is available from other sources without first having secured the approval of the Public Utility Commission of the Commonwealth of Pennsylvania evidenced by its certificate of public convenience authorizing discontinuance of such service shall be fined not exceeding one hundred dollars (\$100) for each day of such discontinuance

#### Section 647 Withholding and Destroying Papers of Service Personnel

Whoever having possession or control of the commission or discharge papers of any officer or former member of the armed forces of the United States

(a) Withholds the same from the party named in such commission or discharge when he demands possession hereof

(b) Wilfully destroys mutilates or makes away with such commission or discharge to the prejudice of the owner thereof

(c) Delivers the same to any person other than the owner thereof without the written request of such owner

(d) In case of the death of the party named in such commission or discharge fails or refuses to deliver up

the same on the written request of the widow or the legal representative or such officer or former member of the armed forces of the United States

shall be imprisoned not exceeding three (3) months or fined not exceeding one hundred dollars (\$100) or both

#### Section 648 Unlawful Conferring of Degrees and Granting of Diplomas etc

Whoever

(a) Confers upon any person any academic or like degree or knowingly signs any diploma or other instrument purporting to confer any such degree honorary or otherwise when the same is not authorized by law

(b) Being an officer agent or employe of any university college school institution or person empowered to confer degrees honorary or otherwise or grant diplomas or other instruments certifying that a standard of proficiency has been attained confers any such degree upon or grants any such diploma or other instrument to any person who has not fulfilled the requirements for such or in consideration of the payment or promise of payment by any person of property other than proper fees costs and tuition charges

(c) Being an officer agent or employe of any university college school institution or person empowered to confer degrees honorary or otherwise or grant diplomas or other instruments certifying that a standard of proficiency has been attained knowingly signs a diploma or other instrument purporting to confer any such degree or certify the attainment of any such standard if the same has not been met or such property has been paid or promised to be paid

shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 649 Misrepresentation of Age by Minor to Secure Liquor

Whoever knowingly and falsely represents himself or another to be twenty-one (21) years of age or over for the purpose of procuring any intoxicating liquor shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 650 Loan of Public Money

Whoever being an officer of this Commonwealth or of any political subdivision thereof lends other than as provided by law with or without interest or return therefor any property received by him or which may be in his possession or under his control by virtue of his office shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both and as a part of the judgment of the court shall be removed from office and the office declared vacant

#### Section 651 Deposit of Public Money for Gain

Whoever being an officer of this Commonwealth or of any political subdivision thereof enters into any agreement by which said officer is to derive any benefit gain or advantage from the deposit with any person or banking institution of any property held by him or which may be in his possession or under his control by virtue of his office shall be imprisoned not exceeding five (5) years or fined five thousand dollars (\$5000) or both and as a part of the judgment of the court shall be removed from office and the office declared vacant

#### Section 652 Payment of Public Money Without Authority

Whoever

(a) Being the State Treasurer pays any money out of the State Treasury except in accordance with the provisions of an Act of Assembly

(b) Being an officer of this Commonwealth authorizes the payment of any money by warrant or otherwise out of the State Treasury in excess of the amount specifically appropriated shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both and as a part of the judgment of the court shall be removed from office and the office declared vacant

#### Section 653 Prohibited Acts by Public Officers

Whoever being a councilman burgess trustee manager or director of any public or quasi-public corporation municipality or public institution or an officer or member other than ex officio of the board of managers or an in-

stitution receiving State money from legislative appropriations

(a) Receives a salary from such corporation municipality or public institution as treasurer secretary or other officer subordinate to the president and directors thereof

(b) Acts as surety of any such treasurer secretary or other subordinate officer

(c) Is in any wise interested in any contract for the sale or furnishing of any supplies or materials to be furnished to or for the use of such corporation municipality or public institution

(d) Receives any remuneration or gratuity from any person interested in such contract or sale shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both and as a part of the judgment of the court shall be removed from office and the office declared vacant

#### Section 654 Interest of Certain Architects and Engineers in Public Works Contracts

Whoever

(a) Being an architect or engineer in the employ of this Commonwealth or of any political subdivision thereof and engaged in the preparation of plans specifications or estimates bids on any public work at any letting of such work

(b) Being any such architect or engineer is in any way interested in any contract for public work or receives any remuneration or gratuity from any person interested in such contract

(c) Being an officer of this Commonwealth or of any political subdivision thereof charged with the duty of letting any public work knowingly awards a contract to any such architect or engineer shall upon conviction be removed from office and the office declared vacant and shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 655 Restrictions Upon Cashiers or Treasurers of Banking Institutions

Whoever being the Cashier or Treasurer of any bank trust company or bank and trust company engages directly or indirectly in the business of buying or selling stock real estate or insurance shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Nothing contained in this section shall prevent such Cashier or Treasurer from being a member of the board of directors or board of trustees of the institution of which he is Cashier or Treasurer

#### Section 656 Disclosure of Telegraphic and Telephonic Communications by Officers and Employes of Telegraph and Telephone Companies

Whoever being a servant agent employe or officer of a telegraph or telephone company uses or makes known the contents of any message or conversation which may be sent or received over any line of telegraph or telephone without the consent of the sender or receiver of the same shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 657 Unlawful Advertising of Insurance Business

Whoever

(a) Prints publishes or broadcasts any advertising or notice setting forth the advantage of insuring with or soliciting insurance business for any person not authorized to do such business in this Commonwealth

(b) Accepts for publication printing or broadcasting any such advertisement or notice unless the printer publisher or broadcaster has in his possession a true and attested or photostatic copy of a certificate of authority from the Insurance Department authorizing the advertiser to do such business in this Commonwealth shall be imprisoned not exceeding (1) year or fined not exceeding one thousand dollars (\$1000) or both

A photostatic copy of such certificate shall be issued by the Insurance Department to any person applying therefor

#### Section 658 Intoxicated Persons Driving Animals

Whoever being under the influence of intoxicating liquors rides drives or leads any beast of burden on the

public highways of this Commonwealth shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding three (3) months

#### Section 659 Marrying Intoxicated Persons

Whoever performs the marriage ceremony between persons when either of said persons is visibly intoxicated shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 660 Throwing Articles on Highways or Upon Land of Another Interference With Contents of Containers

Whoever

(a) Throws any waste paper sweepings ashes household waste glass metal refuse or rubbish or any dangerous or detrimental substance into or upon any road street highway or alley or upon the land of another

(b) Interferes with scatters or disturbs the contents of any receptacle containing ashes garbage household waste or rubbish shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

#### Section 661 Steam Engine without Spark Arrester

Whoever operates any steam engine within three hundred (300) feet of any building unless such engine is equipped with an efficient spark arrester shall upon conviction thereof in a summary proceeding be fined not exceeding two hundred dollars (\$200) and in default of payment thereof shall be imprisoned not exceeding ninety (90) days

#### Section 662 Playing for Drinks

Whoever being the proprietor lessee or manager of any place of resort or entertainment keeps or permits to be placed upon his premises any game upon which shall be staked intoxicating drinks shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

#### Section 663 Fraud in Securing Professional Licenses

Whoever

(a) For the purpose of misrepresenting the qualifications of any person to any department of this Commonwealth or any professional examining board within said department buys sells or fraudulently or illegally makes or alters gives issues or obtains any literary scientific professional or other degree or license or certifies to the completion in whole or in part of any course of study in any university college high school academy or other educational institution

(b) Personates or offers to personate another person in taking or offering to take any examination held by the examining board of any public agency within this Commonwealth

(c) Without lawful authority has in his possession question papers copies or parts thereof which are to be used in any such examination at any time prior to the dates set for such examination

(d) Prior to such examination sells or offers to sell question papers copies or parts thereof prepared for use in said examination

(e) Uses in or preparation for such examination any question papers copies or parts thereof obtained without lawful authority prior to the dates set for such examination

(f) Transmits to the examining board of any public agency within this Commonwealth answers to question used in any such examination which are prepared or written outside of the period of examination or alter any such answer after such period is closed

(g) Secures any credential regularly issued by an examining board of any public agency within this Commonwealth which is based upon examinations or credentials approved by such examining board which he has not actually passed or completed shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

## Section 664 Bucket Shops

Whoever

(a) Keeps or knowingly permits to be kept maintained or operated in any premises owned leased controlled or operated by him any bucket shop

(b) Transmits communicates receives exhibits or displays in any manner any statement or quotation or the price of any property mentioned in the definition of Bucket Shop" with a view of entering into any contract agreement trade or transaction of the nature described in such definition or with a view of aiding others so to do

(c) Enters into any such contract agreement trade or transaction either for himself or as agent or broker for any other person shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

If a corporation is convicted hereunder its charter shall be forfeited in a proceeding in quo warranto instituted at the relation of the Attorney General or the District Attorney

A "Bucket Shop" for the purpose of this section is a place where contracts agreements trades or transactions respecting the sale or purchase of stocks bonds securities rains provisions or other commodities are made or offered or to be made to be closed adjusted or settled upon the basis of public market quotations on a board of trade or exchange without a bona fide transaction on such board of trade or exchange

## Section 665 Worldly Employment or Business on Sunday

Whoever does or performs any worldly employment or business whatsoever works of necessity any charity only excepted on the Lord's Day commonly called Sunday or uses or practices any game hunting shooting sport or diversion whatsoever on the same day not authorized by law shall upon conviction thereof in a summary proceeding be fined four dollars (\$4) and in default of payment thereof shall be imprisoned six (6) days

Nothing herein contained shall be construed to prohibit the dressing of victuals in private families bake houses adjoining houses inns and other houses of entertainment or the use of sojourners travelers or strangers or to hinder watermen from landing their passengers or ferry-men from carrying over the water travelers or persons removing with their families on the Lord's Day commonly called Sunday nor to the delivery of milk or the necessities of life before nine (9) of the clock in the forenoon nor after five (5) of the clock in the afternoon of the same day

## Section 666 Racing Animals

Whoever races or runs any animal for any property or prints or sets up any advertisement mentioning the time and place for the racing or running of such animals or knowingly permits any such advertisement to be attached to or remain upon his property shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

All wages and bets laid on any such racing or running shall be null and void and any property lost on the same or the value thereof may be recovered from the winner by action at law

Nothing contained in this section shall be construed as applying to racing at exhibitions of agricultural societies and associations nor to trials of speed in any incorporated driving park nor to races given by regularly incorporated trotting associations

## Section 667 Undersized Lobsters

Whoever takes or has in his possession any lobster measuring less than three and one-eighth (3 $\frac{1}{8}$ ) inches from the rear of the eye socket along a line parallel to the center line of the body shell (carapace) to the rear end of the body shell (carapace) shall upon conviction hereof in a summary proceeding be fined not exceeding fifty dollars (\$50) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

## Article VII

## Offenses Against the Person

## Section 701 Murder of the First and Second Degree

All murder which shall be perpetrated by means of poison or by lying in wait or by any other kind of wilful deliberate and premeditated killing and all unlawful homicides which shall be committed in the perpetration of or attempt to perpetrate any arson sodomy rape robbery burglary or kidnapping shall be murder of the first degree All other kinds of murder shall be murder of the second degree The jury before whom any person indicted for murder shall be tried shall if they find such person guilty thereof ascertain in their verdict whether the person is guilty of murder of the first or second degree If such person pleads guilty the court shall proceed by examination of witnesses to determine the degree of the crime and to give sentence accordingly

Whoever commits murder of the first degree shall suffer death in the manner provided by law or shall be imprisoned for life at the discretion of the jury trying the case which shall in the manner hereinafter provided fix the penalty In the trial of an indictment for murder the court shall inform the jury that if they find the defendant guilty of murder in the first degree it will be their further duty to fix the penalty therefor after hearing such additional evidence as may be submitted upon that question Whenever the jury shall agree upon a verdict of murder of the first degree they shall immediately return and render the same which shall be recorded and shall not thereafter be subject to reconsideration by the jury or any member thereof After such verdict is recorded and before the jury is permitted to separate the court shall proceed to receive such additional evidence not previously received in the trial as may be relevant and admissible upon the question of the penalty to be imposed upon the defendant and shall permit such argument by counsel and deliver such charge thereon as may be just and proper in the circumstances The jury shall then retire and consider the penalty to be imposed and render such verdict respecting it as they shall agree upon A failure of the jury to agree upon the penalty to be imposed shall not be held to impeach or in any way affect the validity of the verdict already recorded and whenever the court shall be of opinion that further deliberation by the jury will not result in an agreement upon the penalty to be imposed it may in its discretion discharge the jury from further consideration thereof in which event if no retrial of the indictment is directed the court shall sentence the defendant to life imprisonment upon the verdict theretofore rendered by the jury and recorded as aforesaid The court shall impose the sentence so fixed as in other cases In cases of pleas of guilty the court where it determines the crime to be murder of the first degree shall at its discretion impose sentence of death or imprisonment for life Where a sentence of death is imposed the clerk of the court wherein conviction takes place shall within ten (10) days after such sentence of death transmit a full and complete record of the trial and conviction to the Governor Whenever the court sentences a person to death it may at any time after he has been committed to await execution of the sentence order his transfer from the prison to which he shall have been committed to a suitable penitentiary or in the case of a woman to the State Industrial Home for Women at Muncy for safekeeping pending any appeal or application to the Board of Pardons for clemency or his final transfer and delivery to the lawfully designated place for the execution of the sentence

Whoever commits murder of the second degree shall for the first offense be imprisoned not exceeding twenty (20) years or fined not exceeding twenty thousand dollars (\$20,000) or both and for the second offense shall be imprisoned for life and fined not exceeding twenty thousand dollars (\$20,000)

## Section 702 Voluntary and Involuntary Manslaughter

Whoever commits voluntary manslaughter shall be im-

prisoned not exceeding twelve (12) years or fined not exceeding twelve thousand dollars (\$12,000) or both

Whoever commits involuntary manslaughter shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

A count for involuntary manslaughter may be joined in any indictment with counts charging murder or voluntary manslaughter. After indictment the district attorney may with leave of court enter a nolle prosequi as to any count or counts therein and proceed to trial on the remaining counts

#### Section 703 Robbery

Whoever robs any person or assaults any person with intent to rob or by force or threat of force demands any property of any person with intent to steal the same is guilty of robbery and shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

#### Section 704 Aggravated Robbery

Whoever commits or attempts to commit robbery

(a) And in furtherance thereof at the same time or immediately after such robbery or attempted robbery beats strikes or ill-uses anyone in connection therewith

(b) While being armed with an offensive weapon or instrument

(c) Together with one or more persons shall be imprisoned not exceeding twenty (20) years or fined not exceeding twenty thousand dollars (\$20,000) or both

#### Section 705 Larceny from Depositors by Force Threats or Menace

Whoever by force threats or menace compels another to surrender the key or other appliance or to divulge the combination secret or other means used to open any bank vault safe or other depository of property or administers to another any stupefying drug matter or thing for the purpose of obtaining such key or other appliance with intent to steal any property therein shall be imprisoned not exceeding twenty (20) years or fined not exceeding twenty thousand dollars (\$20,000) or both

#### Section 706 Stopping a Common Carrier to Commit a Felony

Whoever by any means or in any manner whatever stops or attempts to stop any vehicle operated by a transportation company for the purpose of committing any felony therein shall be imprisoned not exceeding fifteen (15) years or fined not exceeding fifteen thousand dollars (\$15,000) or both

#### Section 707 Assault and Battery

Whoever commits an assault or an assault and battery shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

#### Section 708 Aggravated Assault and Battery

Whoever in committing an assault and battery inflicts upon another either with or without any weapon or instrument any grievous bodily harm is guilty of aggravated assault and battery and shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

#### Section 709 Assault with Intent to Commit a Crime

Whoever commits assault and battery or aggravated assault and battery upon another with intent himself to commit any other crime or with intent to aid abet facilitate or promote the commission of a crime by another or with intent to interfere with hinder or obstruct any other person from deterring or preventing the commission of a crime by a third person shall be imprisoned or fined or both not to exceed the maximum penalty prescribed by law for such other crime or for assault and battery or aggravated assault and battery whichever be the greater provided that if the jury trying any person for an offense defined by this section shall find the accused guilty of an assault and battery or an aggravated assault and battery but not guilty of having committed the same with intent as aforesaid he shall be punished in the same manner as provided for said offenses of assault and battery as aggravated assault and battery in this act and provided

further that no imprisonment in excess of fifteen (15) years or fine in excess of fifteen thousand dollars (\$15,000) shall be imposed

The words "assault and battery" and "aggravated assault and battery" as used in this section shall include the use or attempted use in upon or against the person of another of any thing or substance of any kind or nature whatsoever capable of and intended to promote facilitate or in any way contribute to the successful commission of any crime

A count charging assault and battery or aggravated assault and battery with intent to commit a crime may be joined in any indictment charging the commission or attempted commission of such crime

#### Section 710 Pointing Deadly Weapons

Whoever playfully or wantonly points or discharges a gun pistol or other firearm at any other person shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 711 Abortion

Whoever unlawfully administers to any woman pregnant or believed to be pregnant any drug poison or other substance or unlawfully uses any instrument or other means with intent to procure the miscarriage of such woman shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both and whenever such action results in the death of such woman or any child with which she made be quick shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

#### Section 712 Concealing Death of Child

Whoever endeavors to conceal the death of any child for the purpose of preventing the discovery of whether it was born alive or dead or whether it was murdered or not shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 713 Rape

Whoever has unlawful carnal knowledge of a female forcibly and against her will or whoever being of the age of sixteen (16) years and upwards unlawfully and carnally knows and abuses any female under the age of sixteen (16) years with or without her consent is guilty of rape and shall be imprisoned not exceeding fifteen (15) years or fined not exceeding fifteen thousand dollars (\$15,000) or both

Upon the trial of any defendant charged with the unlawful carnal knowledge and abuse of a female under the age of sixteen (16) years if the jury shall find that such female was not of good repute and that the carnal knowledge was with her consent the defendant shall be acquitted of rape and be convicted of fornication

#### Section 714 Kidnapping

Whoever

(a) Takes or carries away or decoys or entices away or secretes any person with intent to demand or exact property for the release restoration or return of such person

(b) Either by force or fraud leads takes or carries away or decoys or entices away any minor under the age of fourteen (14) years from his parent or other person charged with his care or custody with intent to conceal or detain him or with intent to seal any property on or about his person

(c) Knowingly conceals harbors or detains any person who has been kidnapped by another in violation of clauses (a) and (b) hereof is guilty of kidnapping and shall for violation of clause (a) be imprisoned for a period of years up to and including life or fined not exceeding twenty-five thousand dollars (\$25,000) or both and shall for violation of clause (b) or (c) be imprisoned not exceeding fifteen (15) years or fined not exceeding fifteen thousand dollars (\$15,000) or both

#### Section 715 Abandoning Infants

Whoever being a parent or other person charged with the care or custody of any child under the age of ten (10) years leaves or places such child in any place with

intent to wholly abandon it shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

**Section 716 Neglect to Maintain Child Abandonment**  
Whoever being a parent or other person charged with the care or custody of any child under the age of sixteen (16) years abandons the child in destitute circumstances or wilfully omits to furnish necessary and proper food clothing or shelter for such child shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

In case a fine is imposed the same may be applied in the discretion of the court to the support of such child

The jury may infer from proof of the abandonment of such child in destitute circumstances and the omission to furnish necessary and proper food clothing or shelter that such abandonment and omission was wilful

Any provision of law prohibiting disclosure of confidential communications between husband and wife shall not apply to prosecutions under this section

#### **Section 717 Cruelty to Minors**

Whoever ill-treats abuses or inflicts cruel punishment upon any minor shall upon conviction thereof in a summary proceeding be fined not exceeding two hundred dollars (\$200) and in default of payment thereof shall be imprisoned not exceeding ninety (90) days

#### **Section 718 Tattooing Minors**

Whoever tattoos any minor shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding three (3) months

#### **Section 719 Wilful Separation or Nonsupport**

Whoever being a husband or father separates himself from his wife or from his children or from wife and children without reasonable cause or wilfully neglects to maintain his wife or children who is or are destitute or dependent wholly or in part on their earnings for adequate support shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both Such fine if any may be paid or applied in whole or in part to the support of the wife or children as the court may direct

No such conviction payment of fine or undergoing imprisonment shall in any manner affect the obligation of any order for support theretofore made against the defendant in any competent court

In any case the court may suspend sentence upon and during compliance by the defendant with any order for support as already made or as thereafter modified

If no such order shall have been made then the court trying the defendant may make such order for the support by the defendant of his wife and children or either of them which order shall be subject to modification by the court on cause shown and may suspend sentence upon and during the compliance by defendant with such order upon entry of bond by defendant with or without surety approved by the court conditioned on compliance with such order

In any proceedings under this section the wife or any person having the care custody or control of minor children shall be a competent witness

As used in this section the word "children" shall be limited to mean children under eighteen (18) years of age and also such children over eighteen (18) and under twenty-one (21) years of age as by reason of infirmity are incapable of supporting themselves "separation" or "nonsupport" shall include every case where a husband has caused his wife to leave him by conduct on his part which would be ground for divorce or where a father has neglected to provide for maintenance support and care of his wife or children or wife and children

#### **Section 720 Neglect of Children Born out of Wedlock**

Whoever becomes the father of a child born out of lawful wedlock whether within or without this Commonwealth shall be ordered to pay the expenses incurred at the birth of such child and if such child is born dead or shall die during the continuance of an order for maintenance of said child shall also pay the reasonable funeral expenses and shall give such security in such sum and on

such basis as the court shall direct and in default of such payment shall be imprisoned not exceeding one (1) year

Whoever being a parent wilfully neglects or refuses to contribute reasonably to the support and maintenance of a child born out of lawful wedlock whether within or without this Commonwealth shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

All prosecutions under this section must be brought within two (2) years of the birth of the child except where the reputed father shall have voluntarily or by court order contributed to the support of the child or shall have acknowledged in writing his paternity in which case a prosecution may be brought at any time within two (2) years of any such contribution or acknowledgment by the reputed father

Before the trial with the consent of the defendant indorsed on the bill of indictment as now provided by law or at the trial on entry of a plea of guilty or after conviction instead of imposing the fine herein provided or in addition thereto the court having regard to the circumstances and to the financial capacity of the defendant may make an order subject to change from time to time as circumstances may require directing the defendant to pay a certain sum periodically for such time and to such person as the court may direct The court shall have the power to suspend the sentence herein provided and release the defendant from custody on probation in the manner provided in cases of desertion and nonsupport provided that the defendant has entered into a recognizance in such sum with or without surety as the court shall direct for compliance with such order

Whenever a parent is paying for the support of a child under an order of court made in any other proceeding civil criminal or quasi-criminal said parent shall not be subject to proceedings for support for the same child under this section unless he has failed to obey such order of court

For the purpose of this section referring to the child the use of the term "bastard" or "illegitimate" is prohibited in any public record or public document Instead the term "born out of wedlock" shall be used

#### **Section 721 Desertion and Nonsupport**

If any husband or father being within the limits of this Commonwealth separates himself from his wife or from his children or from wife and children without reasonable cause or neglects to maintain his wife or children any magistrate upon information made before him under oath or affirmation by his wife or children or either of them or by any person may issue his warrant for the arrest of the person against whom the information shall have been made and bind him over with one sufficient surety to appear at the court of quarter sessions or other court of record having jurisdiction there to answer the said charge of desertion

The said court after hearing in a summary proceeding may order the person against whom complaint has been made being of sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children or both and to commit such person to prison there to remain until he shall comply with such order or give security with or without surety to the Commonwealth and in such sum as the court shall direct for the compliance therewith The court may also issue the appropriate writ of execution against any property belonging to the defendant and its writ of attachment execution against any property to which he may be in any way entitled whether under what is known as a spendthrift trust or otherwise which shall not exceed fifty per centum thereof and shall remain a continuing levy until the order has been paid in full with costs The persons against whom an order is made shall not be entitled to the benefits of any exemption law now in force or hereafter passed

The provisions of this section shall apply to any trust

whether it is known as a spendthrift trust or otherwise whether such trust was created or came into existence before or after the passage of this act Where an attachment execution is issued the further proceedings thereon shall be in the manner provided in the case of foreign attachments

Any wife so deserted shall be a competent witness on the part of the Commonwealth and the husband shall also be a competent witness

Should any such person abscond remove or be found in any other county of the Commonwealth than the one in which said warrant issued he may be arrested by the said warrant being backed by any magistrate of the county in which such person may be found

Whenever the court of quarter sessions of any county or other courts of record having jurisdiction in the Commonwealth commits the person complained of to the county prison there to remain until he complies with their order or give security et cetera the court may at any time after three (3) months if it shall be satisfied of the inability of such person to comply with the said order and give such security discharge him from imprisonment

Nothing in this section shall be construed to repeal the powers and jurisdiction granted the Municipal Court of Philadelphia County or the County Court of Allegheny County

#### Article VIII

#### Offenses Against Personal Property and Fraudulent Dealing Therewith

##### Section 801 Blackmail

Whoever by means of any communication which threatens

(a) To accuse another person of a crime or other unlawful act

(b) To injure kidnap or cause the death of any person

(c) To injure or destroy the property business or reputation of any person

(d) To expose or impute to any person any deformity or disgrace

(e) To publish any libel

extorts or gains any property from another or induces any person to commit or assist another person in the commission of any unlawful act shall be imprisoned not exceeding fifteen (15) years or fined not exceeding fifteen thousand dollars (\$15,000) or both

##### Section 802 Larceny

Whoever commits larceny shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

The subjects of larceny shall include

(a) All money and other personal property

(b) All written or printed instruments which are evidences of debts or contracts or concern real or personal property or commercial or business transactions or which create or will create rights and privileges

(c) All property of any kind whatsoever growing or being upon the land

(d) All fixtures or other property attached to or a part of any real property

(e) All coal iron or other minerals in or on the ground

(f) Any other valuable thing

##### Section 803 Additional Penalties for Larceny of Minerals

Whoever commits larceny of coal iron or other minerals shall in addition to the penalties otherwise provided by law be liable to pay to the owner double the value of the minerals so removed or in the case of the conversion of the same to the use of such offender treble value thereof to be recovered with the cost of suit by an action at law

##### Section 804 Receiving Stolen or Fraudulently Disposed of Property

Whoever buys has or receives any property made a subject of larceny which shall have been stolen or feloniously taken or which shall have been so fraudulently obtained converted or disposed of as to render the party obtaining

converting or disposing thereof guilty of a crime knowing or having reasonable cause to know the same to have been stolen or feloniously taken or to have been so fraudulently obtained converted or disposed of shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

It shall be lawful to prosecute and punish any buyer or receiver of stolen property as well before as after the principal felon shall be taken and convicted and whether such principal felon is amenable to justice or otherwise The conviction and sentence of any such buyer or receiver shall exempt him from being prosecuted as accessory after the fact in case the principal felon shall be afterwards convicted

##### Section 805 Bringing Stolen Property into the State

Whoever brings into this Commonwealth any property knowing or having reasonable cause to know the same to have been stolen in any other state or country shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

##### Section 806 Professional Thieves

Whoever being a professional thief burglar or pick-pocket frequents or attends any public place for an unlawful purpose shall upon conviction thereof in a summary proceeding be imprisoned not exceeding ninety (90) days or in the discretion of the magistrate be required to enter security for his good behavior for a period not exceeding one (1) year

##### Section 807 Fraudulent Conversion of Property

Whoever having received or having possession of in any capacity or by any means or manner any property of or belonging to any other person or which any other person is entitled to receive and have fraudulently withholds converts or applies the same or any part thereof or the proceeds or any part of the proceeds derived from the sale or other disposition thereof to and for his own use and benefit or to and for the use and benefit of any person other than the person entitled to receive and have the same shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

The crime specified in this section may be joined in the same indictment with any other crimes arising out of the same transaction and there may be included in the same indictment as many counts as there are separate and distinct crimes hereunder committed against the same person

##### Section 808 Fraudulent Conversion by Associates

Whoever being a member of an association without the consent of his associates fraudulently converts takes or secretes with intent to convert to his own use or to the use of another or withholds or appropriates or otherwise fraudulently applies or makes use of any property belonging to such association and which may have come into his possession or under his care or fraudulently uses or pledges the name of the association for any purpose other than the bona fide use of said association shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

##### Section 809 Rehypothecation of Securities

Whoever repledges or rehypothecates any stocks bonds or other securities received for money lent and borrowed during the continuance of the contract of hypothecation or pledging of such securities without the written consent of the party pledging or hypothecating the same shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

This section shall not be construed to prevent brokers from repledging or rehypothecating stocks bonds or other securities which they have purchased in whole or in part with their own money or credit for others and for which they have not been wholly reimbursed by the parties for whom such stocks bonds or other securities have been purchased

##### Section 810 Misapplication of Public Moneys Collected for Special Purposes

Whoever being the treasurer of any political subdivision

of this Commonwealth applies any moneys collected according to law for any special purpose to any purpose other than that for which such moneys shall have been collected shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 811 Refusal to Pay over Money Collected on Legal Process

Whoever being a constable or deputy constable receives money by virtue of an execution or other process and neglects or refuses upon request to pay the amount thereof to the party entitled to receive the same or to his agent or legal representative shall be fined not exceeding one hundred dollars (\$100) and shall stand committed until the fine and costs and the money so withheld shall be paid together with interest and shall for seven (7) years thereafter be incapable of holding the office of constable or the appointment of deputy constable

#### Section 812 Cheating by False Pretense

Whoever by any false pretense obtains the signature of any person to any written instrument or obtains any property from any other person with intent to cheat and defraud any person shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

#### Section 813 False Statements Concerning Financial Condition

Whoever for the purpose of securing any property for the benefit of himself or another

(a) Knowingly makes or causes to be made any false statement in writing intending that it be relied upon respecting the financial condition or means or present ability to pay of himself or any other person

(b) Knowing that a statement in writing has been made respecting the financial condition or means or present ability to pay of himself or any other person reports subsequently in writing that such statement theretofore made if again made would still be true when in fact such statement if then made would be false shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

#### Section 814 False Statements Concerning Financial Institutions

Whoever makes utters or publishes any statement or rumor untrue in fact in reference to the solvency or derogatory to the financial condition of any banking institution surety company guarantee company insurance company or other financial institution in this Commonwealth shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

#### Section 815 False Statements and Entries by Officials or Agents of Financial Institutions

Whoever being a director officer agent or employe of any banking or other financial institution with intent to injure or defraud such banking or other financial institution or any director officer agent employe creditor or member thereof

(a) Fraudulently draws any order or bill of exchange makes any acceptance signs any note bond draft bill of exchange mortgage judgment or other instrument in writing

(b) Makes any false statement in any book report or statement concerning such banking or other financial institution or deceives any officer of such banking or other financial institution or any bank examiner or other person legally authorized to examine the affairs of any such banking or other financial institution shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

#### Section 816 Fraudulent Accounts

Whoever being an officer director receiver employe agent attorney broker or member of any body corporate public company or municipal or quasi-municipal corporation receives or possesses himself of any property of such body corporate public company or municipal or quasi-municipal corporation otherwise than in payment to him of a just debt or demand and with intent to defraud omits or fails to cause or direct to be made a full and true entry

thereof in the books and accounts of such body corporate public company or municipal or quasi-municipal corporation shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

#### Section 817 False Statements by Corporate Officials Agents

Whoever being an officer director receiver employe agent attorney broker or member of any banking institution or other body corporate public company or municipal or quasi-municipal corporation makes utters or publishes any written or printed statement or account which he knows to be false with intent to deceive or defraud any member shareholder or creditor of such body corporate public company or municipal or quasi-municipal corporation or with intent to induce any person to become a shareholder or partner or to acquire an interest therein or advance any property to such body corporate public company or municipal or quasi-municipal corporation or to enter into any security for the benefit thereof shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

#### Section 818 False Financial Statements

Whoever issues or permits the issuance of any statement of the financial transactions standing or condition of any corporation association or individual business known by him to be false shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

#### Section 819 False Entries by Associates

Whoever as a member of any association receives or possesses himself of any property of such association otherwise than in payment to him of a just debt or demand and with intent to defraud omits to make or cause or direct to be made a full and true entry thereof in the books and accounts of such association or with intent to defraud destroys alters mutilates or falsifies any of the books papers or writing or securities belonging to any such association or concurs in making any false entry or material omission in any book of accounts or other documents shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

#### Section 820 Destroying or Mutilating Books of Corporations etc

Whoever with intent to defraud

(a) Destroys alters mutilates or falsifies any of the books papers writing or securities of or belonging to any banking institution body corporate public company or municipal or quasi-municipal corporation

(b) Makes any false entry in any book of accounts or other documents of or belonging to any such banking institution body corporate public company or municipal or quasi-municipal corporation or omits any material matter therefrom

shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

#### Section 821 Fraudulent Removal of Vehicle

Whoever with intent to defraud removes or obtains by any false pretense or device any vehicle which has been placed in a garage hangar or other place for storage repair or service shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

#### Section 822 Receipt of Deposits by Insolvent Institutions or Brokers

Whoever being an official or employe of any banking institution or broker receives for deposit or otherwise any property of another knowing that such institution or broker has not assets sufficient at their cash value to pay all its or his debts and liabilities shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

#### Section 823 Frauds by Agents of Transportation Companies

Whoever being an employe of any transportation company fraudulently fails to cancel or return to such company or proper agent or officer thereof any coupon or other ticket with the intent to permit the same to be used to the damage of such company or steals or em-

bezzles any such coupon or other ticket or fraudulently stamps or prints or signs any such ticket shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

#### Section 824 Worthless Checks and Drafts

Whoever with intent to defraud (a) makes draws utters or delivers any check draft or order for the payment of money upon any banking institution or other depository and stops payment on such check draft or order or (b) knowing at the time of such making drawing uttering or delivering that the maker or drawer has not sufficient funds in or credit with such banking institution or other depository for the payment of such check although no express representation is made in reference thereto shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

In any prosecution under this section the making drawing uttering or delivering of a check draft or order payment of which is refused by the drawee because payment has been stopped by the drawer or because of lack of funds or credit shall be prima facie evidence of intent to defraud and in applicable cases of knowledge of insufficient funds in or credit with such banking institution or other depository unless such maker or drawer shall have paid the drawee thereof the amount due thereon together with interest and protest fees within five (5) days after receiving notice that such check draft or order has not been paid to the drawee

The word "credit" as used in this section shall be construed to mean any arrangement or understanding with the banking institution or other depository for the payment of such check draft or order

#### Section 825 False Certification of Check

Whoever certifies any check drawn upon any banking institution or other depository unless the person drawing the check has on deposit in such banking institution or other depository at the time such check is certified an amount of money not less than the amount of money specified on such check shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

#### Section 826 False or Forged Recommendations

Whoever obtains employment or appointment to any office or place of trust by the use of any false or forged writing as to his name residence previous employment or qualifications knowing the same to be false or forged shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 827 False Representation of Blindness Deafness etc

Whoever knowingly misrepresents himself or another as a deaf dumb blind deformed or injured person in order to collect receive or otherwise obtain any property shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 828 Untrue False and Misleading Advertising

Whoever with intent to sell or in any way dispose of any service or property or with intent to increase the consumption thereof or with intent to induce the public to enter into any obligation relating thereto or acquire any interest therein makes publishes or disseminates any advertisement which is untrue deceptive or misleading and which is known or which by the exercise of reasonable care should be known to be untrue deceptive or misleading shall upon conviction thereof in a summary proceeding be fined not exceeding three hundred dollars (\$300) and in default of payment thereof shall be imprisoned not exceeding three (3) months

#### Section 829 Accepting Unidentified Advertising

Whoever being the owner or employe of any newspaper or other publication accepts any advertisement for publication without obtaining the name and address of the advertiser and without making a record of the same which record shall be retained for a period of two (2) weeks and shall be subject to the examination of any duly constituted law officer of this Commonwealth shall upon conviction thereof in a summary proceeding be fined not exceeding three hundred dollars (\$300) and in default of payment thereof shall be imprisoned not exceeding three (3) months

#### Section 830 Attaching Advertisement Without Consent of Publisher

Whoever places or affixes or inserts any notice of any kind on or in or to any newspaper magazine periodical or book when such newspaper magazine periodical or book is in the possession of the owner or publisher thereof or in the possession of any newsdealer distributor or carrier or of any agent or servant of such owner or publisher without the consent of the owner or publisher shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and costs for each offense

#### Section 831 Fraudulent Use of "Consul" "Consulate" or Coat of Arms

Whoever in connection with any business uses the word "consul" or "consulate" or any derivative or equivalent thereof in any language or the coat of arms of any foreign nation or any simulation thereof tending to convey the impression that such business has official relation to any foreign government shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

The provisions of this section shall not apply to a consular official of a foreign nation or country duly accredited to any city

#### Section 832 Fraud on Automatic Machines

Whoever by any fraudulent means operates any automatic vending machine automatic telephone or any instrument machine apparatus meter or device which is operated or intended to be operated by the use or insertion therein of any coin or token shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 833 False Devices to Operate Automatic Machines

Whoever with intent to defraud manufactures sells or gives away any false or counterfeit coin token or other device intended to be used in any automatic machine or apparatus shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 834 Spurious Archaeological Specimens

Whoever manufactures sells offers for sale or has in possession with intent to sell or offer for sale any object with intent to misrepresent such object to be an original or genuine archaeological specimen shall upon conviction thereof in a summary proceeding be fined not exceeding two hundred dollars (\$200) and in default of payment thereof shall be imprisoned not exceeding ninety (90) days

#### Section 835 False Representation of Kosher

Whoever sells or offers for sale any article intended for human consumption falsely represented as kosher or as being sanctioned by the orthodox Hebrew religious requirements as kosher or sells or offers for sale any meat product or preparation thereof that is not kosher in the same place of business where any meat product or preparation thereof represented as kosher sold unless such non-kosher product is plainly marked as such shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars (\$500) or both

For the purposes of this section the words "represented" shall mean any statement oral or in writing in any language either referring to on or in connection with an article offered for sale or on or in the place of business using the word "kosher" or any sign or marking in simulation of such word or any insignia or six-pointed star or any mark or utterance which might reasonably be calculated to deceive or lead a reasonable person to believe such article to be kosher

#### Section 836 Unlawful Use of Containers etc

Whoever without the permission of the owner

- (a) Refills for the purpose of sale
- (b) Uses in the sale exchange or delivery of any merchandise
- (c) Sells deals or traffics in
- (d) Wilfully detains for his own use
- (e) Fraudulently obliterates mutilates or conceals the

name title or mark of owner on any container having therein or thereon the name title address or mark of the owner shall be imprisoned not exceeding six (6) months or fined not exceeding two hundred dollars (\$200) or both

#### Section 837 Fortune Telling etc

Whoever for gain pretends to tell fortunes or predict future events by cards tokens the inspection of the head or hands of any person or by anyone's age or by consulting the movements of the heavenly bodies or in any other manner or for gain pretends to effect any purpose by spells charms necromancy or incantation or advises the taking or administering of what are commonly called love powders or potions or prepares the same to be taken or administered or publishes by card circular sign newspaper or other means that he can predict future events or for gain pretends to enable anyone to get or recover stolen property or to tell where lost property is or to stop bad luck or to give good luck or to put bad luck on a person or animal or to stop or injure the business or health of a person or shorten his life or to give success in business enterprise speculation or games of chance or to win the affection of a person or to make one person marry another or to induce a person to make or alter a will or to tell where money or other property is hidden or to tell where to dig for treasure or to make a person dispose of property in favor of another shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 838 Fraud on Hotel Boardinghouse and Inn Keepers

Whoever with intent to cheat or defraud obtains food lodging credit or other accommodation in any hotel inn or boardinghouse shall be imprisoned not exceeding six (6) months or fined not exceeding two hundred dollars (\$200) or both

Proof that a person obtained lodging food or other accommodations by false pretense or by false show or pretense of any baggage or other property or that he gave in payment for such food lodging or other accommodation negotiable paper on which payment was refused or that he absconded without paying or offering to pay for such food lodging or other accommodation or that he surreptitiously removed or attempted to remove his baggage shall be prima facie proof of the fraudulent intent mentioned in this section

#### Section 839 Marking of Gold

Whoever makes or sells or offers to sell or to dispose of or has in his possession with intent to sell or to dispose of any article of merchandise marked stamped branded or labeled "gold" or "solid gold" which contains less than ten (10) karats of pure gold shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred (\$300) dollars or both

#### Section 840 Marking of Gold Fineness

Whoever makes or sells or offers to sell or dispose of or has in his possession with intent to sell or dispose of any article of merchandise marked stamped or branded with any karat of gold not less than ten (10) in fineness or wrapped encased or enclosed in any box package cover or wrapper or other thing having thereupon any engraving label stamp imprint mark or trademark indicated or denoting by such marking stamping branding engraving or printing that such article is of any other number of karat of gold of not less than ten (10) in fineness unless the component parts of which the said article is made are in the following ratio If eighteen (18) karat then eighteen (18) parts of pure gold and six (6) part alloy if fourteen (14) karat then fourteen (14) parts of pure gold and then (10) parts ally of ten (10) karat then ten (10) parts of pure gold and fourteen (14) parts alloy and other quantities in the same proportion with twenty-four (24) karats as the standard of pure gold shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

#### Section 841 Marking of Silver

Whoever makes or sells or offers to sell or dispose of or has in his possession with intent to sell or dispose of

any article of merchandise marked stamped or branded with the words "sterling" or "sterling silver" or wrapped encased or enclosed in any box package cover or wrapper or other thing having thereupon any engraving label stamp imprint mark or trade mark indicating or denoting by such marking stamping branding engraving or printing that such article is sterling or sterling silver unless nine hundred and twenty-five one-thousandths (925/1000) of the component parts of the metal of which the said article is made is pure silver shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

#### Section 842 Marking of Coin Silver

Whoever makes or sells or offers to sell or to dispose of or has in his possession with intent to sell or dispose of any article of merchandise marked stamped or branded with the words "coin" or "coin silver" or wrapped encased or enclosed in any box package cover wrapper or other thing having thereupon any engraving label stamp imprint mark or trademark indicating or denoting by such marking stamping branding engraving or printing that such article is coin or coin silver unless nine hundred one-thousandths (900/1000) of the component parts of the metal of which the said article is made is pure silver shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

#### Section 843 Marking of Mounting as Sterling

Whoever makes sells or offers to sell or dispose of or has in his possession with intent to sell or dispose of any article of merchandise comprised of any material to which is attached a metal mounting marked stamped or branded with the words "sterling" or "sterling silver" unless such attached metal mounting shall contain not less than nine hundred and twenty-five one-thousandths (925/1000) parts of pure silver shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

#### Section 844 Marking of Mounting as Coin or Coin Silver

Whoever makes or sells or offers to sell or dispose of or has in his possession with intent to sell or dispose of any article of merchandise comprised of any material to which is attached a metal mounting marked stamped or branded with the words "coin" or "coin silver" unless such attached metal mounting shall contain not less than nine hundred one-thousandths (900/1000) parts of pure silver shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

#### Section 845 Unpublished Dramas and Musical Compositions

Whoever publicly presents for profit without consent of the author or authors thereof any unpublished dramatic play or musical composition shall upon conviction thereof in a summary proceeding be fined not exceeding three hundred dollars (\$300) and in default of payment thereof shall be imprisoned not exceeding three (3) months

#### Section 846 Purchase of Junk

Whoever buys or receives from minors knowing them to be such or from any person unknown to the person so buying or receiving or from any person pursuing no trade labor or employment for a livelihood any junk rope or metal shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 847 False Registration of Domestic Animals

Whoever by any false pretense obtains from any association for improving the breed of domestic animals the registration or transfer of registration of any animal in such association's herd register or other register or knowingly gives a false pedigree of any animal shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 848 Fraudulent Entry of Horses in Races

Whoever enters for competition or causes to compete for any purse prize premium stake or sweepstake offered or given by any association or person any horse under an assumed name or out of its proper class when such

prize purse premium stake or sweepstake is to be decided by a contest in running trotting or pacing races shall be imprisoned not exceeding six (6) months or fined not exceeding six hundred dollars (\$600) or both

#### Section 849 Destruction or Concealment of Written Instruments Securities and Records

Whoever mutilates conceals or destroys any deed lease will bond bill note check draft or other security for the payment of money or the delivery of goods or any certificate of the stock of any bank corporation or association or any receipt acquittance release or discharge of any debt suit or other demand or any transfer or assurance of property or any letter of attorney or other power or any day book or other book of accounts or any agreement or contract whatever with intent to defraud any person shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

#### Section 850 Identifying Marks on Machines and Apparatus

Whoever removes alters defaces covers or destroys the manufacturer's serial number or any other manufacturer's number or distinguishing number or identification mark upon any machine or other apparatus except motor vehicles for the purpose of concealing or destroying the identity of any such machine or other apparatus or takes in his possession any such machine or apparatus from which the manufacturer's serial number or any other manufacturer's number or distinguishing number or identification mark has been removed altered defaced covered or destroyed for the purpose of concealing or destroying the identity of such machine or other apparatus knowing at the time of taking possession of such removal alteration defacement covering or destruction shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

#### Section 851 Electric Storage Batteries

Whoever removes defaces alters or destroys the word "rental" or any other word mark or character printed painted or stamped upon or attached to any electric storage battery which has been so placed upon or attached to identify the same as belonging to or being the property of any other person or sells or disposes of to any person other than the owner thereof any electric storage battery marked as aforesaid for the purpose of identifying the said electric storage battery as belonging to or being the property of any other person or being engaged in buying selling or recharging electric storage batteries receives or retains in his possession or recharges except in cases of emergency any electric storage battery not owned by such person and marked as aforesaid for the purpose of identifying the said electric storage battery as belonging to or being the property of any other person or retains in his possession for a longer period than ten (10) days without the written consent of the owner any electric storage battery marked as aforesaid for the purpose of identifying the said electric storage battery as belonging to or being the property of any other person shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

#### Section 852 Confession of Judgment to Defraud Creditors

Whoever with intent to defraud any creditor of himself or of any other person confesses or authorizes the confession of a judgment against himself or any person represented by him in favor of one not a bona fide creditor shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

#### Section 853 Removing or Concealing Property to Defraud Creditors

Whoever with intent to defraud any creditor of himself or of any other person

(a) Removes any property out of any county

(b) Conceals any property from any officer or person duly entrusted with the execution of any writ

(c) Conveys or otherwise disposes of any property

(d) Receives purchases or otherwise acquires the property of another

(e) Is a party to any written agreement regarding any property

(f) Conceals any written instrument concerning any property shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

#### Section 854 Illegal Wearing of Uniforms and Insignia Whoever without authority

(a) Wears or displays the uniform decoration insignia or other distinctive emblem of any branch of the armed forces of the United States or of any of the several states or of any association for the purpose of obtaining aid or profit or while soliciting contributions or subscription

(b) Wears an honorable discharge button issued or authorized by the United States

shall be imprisoned not exceeding six (6) months or fined not exceeding six hundred dollars (\$600) or both

#### Section 855 Illegal Sale of Veterans' Flowers

Whoever without authority sells or offers for sale the labeled artificial flowers or any imitation thereof of an bona fide war veterans' organization or affiliate thereof shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50) and in default of payment thereof shall be imprisoned not exceeding ten (10) days

#### Section 856 Illegal Dealing in Military Decorations

Whoever without authority purchases sells or offers for sale or accepts as a pledge or pawn any medal insignia or decoration granted by the United States for service in the armed forces shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 857 Fraud on Association Having Grand Lodge

Whoever without the authority of the grand lodge hereafter described

(a) Fraudulently uses in any manner the name or title of any secret fraternal association which had a grand lodge having jurisdiction in this Commonwealth for at least ten years

(b) Imitates such name or title with intent to deceive

(c) Wears or uses any insignia of such association with intent to deceive

(d) Publishes or distributes in any manner any written or printed matter soliciting applications for membership in such secret fraternal association or any alleged association claiming to be known by such title or by a title in imitation or resemblance of such title

(e) Sells or gives or offers to sell or give any information as to how any alleged degree secret work or secret of such fraternal association or of any alleged association claiming to be known by such title or by a title in imitation or resemblance of such title may be obtained shall upon conviction thereof in a summary proceeding be fined not exceeding three hundred dollars (\$300) and in default of payment thereof shall be imprisoned not exceeding ninety (90) days

#### Section 858 Unlawful Collection Practices

Whoever without being an attorney at law duly admitted to practice in any court of record in this Commonwealth

(a) Appears for or represents a creditor or other person in any proceeding or in any action or proceeding growing out of the appointment of a receiver or trustee or in connection with an assignment for the benefit of creditors presents any claim or votes on behalf of a creditor whether an assignee or transferee of such claim or by virtue of a proxy or otherwise or represents a creditor in any action or proceeding in any court before any magistrate in this Commonwealth or solicits from any creditor any claim for any of the purposes above enumerated

(b) Offers to furnish legal services directly or indirectly

or offers to render such services within or without this Commonwealth Provided however That the forwarding of such a claim to an attorney or attorneys at law for the purpose of collection shall not be construed as furnishing legal service

(c) Represents or undertakes to render services for any debtor concerning the proposed settlement or adjustment of the affairs of such debtor whether such compromise settlement or adjustment be made through legal proceedings or otherwise or demands asks for or receives any compensation for services in connection with the settlement or collection of any claim except from the creditor for whom he has rendered lawful services

(d) Receives from or divides with an attorney any portion of any fee received by such attorney except in accordance with an established and recognized custom of division of commissions between a collection agency and an attorney at the commonly accepted rate

(e) Coerces or intimidates any debtor by delivering or mailing any paper or document simulating or intended to simulate a summons warrant writ or court process as a means for the collection of a claim which threatens legal proceedings or resorts to vexatious practices against any debtor except that no person is prohibited from advising a debtor that the claim if not paid will be referred to an attorney or attorneys

shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

#### Section 859 Fraudulent Traffic in Food Orders

Whoever furnishes or delivers

(a) Anything other than food in exchange for a food order issued by or under the authority of any public relief or assistance agency

(b) Food to any person other than the original recipient of any such food order

(c) Food in quantities or for prices other than those itemized in any such food order at the time the food is furnished or delivered

shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

### Article IX

#### Offenses Against Real Property and Malicious Mischief

##### Section 901 Burglary

Whoever at any time unlawfully and wilfully breaks into or enters any dwelling house with intent to commit a felony therein is guilty of burglary and shall be imprisoned not exceeding twenty (20) years or fined not exceeding twenty thousand dollars (\$20,000) or both

##### Section 902 Felonious Entry

Whoever at any time unlawfully and wilfully breaks into or enters any vehicle or any building other than a dwelling house with intent to commit a felony therein shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

##### Section 903 Possession of Burglary Tools

Whoever has in his possession any tool instrument or any material with intent to use the same to commit a burglary or a felonious entry shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

##### Section 904 Arson

Whoever wilfully and maliciously sets fire to or burns any dwelling house or other building or structure in which human beings are or usually are present whether the property of himself or of another is guilty of arson and shall be imprisoned not exceeding twenty (20) years or fined not exceeding twenty thousand dollars (\$20,000) or both

##### Section 905 Criminal Burning

Whoever wilfully and maliciously sets fire to or burns any building or structure other than those set forth in the section in this act defining arson whether the property of himself or of another shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

##### Section 906 Burning of Personal Property

Whoever sets fire to or burns any personal property

(a) Of another maliciously and without the consent of the owner

(b) Of himself or another wilfully and with intent to defraud shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

##### Section 907 Malicious Mischief

Whoever wilfully and maliciously tampers meddles or interferes with or obstructs diverts removes injures destroys or damages in any manner or by any means

(a) Any property used by any transportation company in the performance of its transportation functions

(b) Any mine or subterranean or surface property or equipment used in connection with any mine or mining operation

(c) Any river stream or stream bed canal or other water course or the banks towpaths or towtracks adjacent thereto or dam or other device used to control the flow of water therein

(d) Any property used in furnishing any public utility service

(e) Any fire-fighting apparatus or equipment or part of any fire alarm system

(f) Any property used in broadcasting by any radio television or facsimile broadcast station or studio

(g) Any property belonging to another not specifically listed in clause (a) (b) (c) (d) (e) or (f) shall where the crime involves property listed in clause (a) be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both and where the crime involves property listed in clauses (b) (c) (d) (e) or (f) be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both and where the crime involves property listed in clause (g) be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

##### Section 908 Malicious Mischief by Explosives

Whoever wilfully and maliciously by the explosion of any substance does bodily harm to any person or destroys or damages any property shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

##### Section 909 Malicious Mischief Involving Signs Public Notices etc

Whoever

(a) Damages mutilates defaces destroys removes covers up or obliterates any advertising bill notice placard sign or poster of another wilfully maliciously and without the consent of the owner

(b) Unlawfully posts paints or attaches any advertising bill notice placard sign or poster upon any public property or upon any private property without the consent of the owner thereof shall upon conviction thereof in a summary proceeding be fined not exceeding three hundred dollars (\$300) and in default of payments thereof shall be imprisoned not exceeding three (3) months

##### Section 910 Retention of Library Property after Notice to Return

Whoever retains any book or other property belonging in or to or on deposit with the State Library or any free public library which is established or maintained under any law of this Commonwealth or any public school library or the library of any university college or educational institution chartered by this Commonwealth or any branch reading room deposit station or agency operated in connection therewith for a period exceeding thirty (30) days after such library has given written notice to return the same shall upon conviction thereof in a summary proceeding be fined not exceeding ten dollars (\$10) to be paid over by the magistrate imposing such fine to the library instituting the prosecution and costs of prosecution Any person in default of payment of such fine and costs shall be imprisoned not exceeding ten (10) days

Such notice may be given by personal service upon the borrower or by the mailing of a registered letter to

the borrower's address on file with said library The notice shall recite this section and shall contain a demand that the property be returned

#### Section 911 Violation of Rules Governing State Property

Whoever wilfully negligently or maliciously violates any of the lawfully promulgated rules made for the administration of State property by any department or commission of this Commonwealth shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days No conviction shall be had for any act committed in violation of this section unless it shall affirmatively appear that copies of such rules or notices were at the time of such act posted in upon or about said property

#### Section 912 Converted Trees or Lumber Thereof

Whoever purchases or receives any tree or shrub knowing the same to have been cut or removed without the consent of the owner thereof under circumstances not amounting to larceny or purchases or receives any logs boards shingles or other lumber knowing that the same has been made from a tree so cut or removed shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

#### Section 913 Trespass Upon Posted Land

Whoever wilfully enters upon any land which the owner lessee or occupant has caused to be prominently posted with printed notices that the said land is private property and warning all persons from trespassing thereon under the penalties provided in this section shall upon conviction thereof in a summary proceeding be fined not exceeding ten dollars (\$10) and in default of payment thereof shall be imprisoned not exceeding ten (10) days

#### Section 914 Trespassing on Grounds of State Institutions

Whoever wilfully trespasses upon the land or premises belonging or appurtenant to any State institution or whoever after notice from an officer or employe of any State institution to leave said land refuses to do so shall upon conviction thereof in a summary proceeding be fined not exceeding ten dollars (\$10) and in default of payment thereof shall be imprisoned not exceeding ten (10) days

#### Section 915 Killing Maiming or Poisoning Domestic Animals etc

Whoever unlawfully wilfully and maliciously

(a) Kills maims or disfigures any domestic animal fowl or bird of another person

(b) Administers poison to any such animal fowl or bird

(c) Exposes any poisonous substance with intent that the same shall be taken or swallowed by any fowl bird or animal except mice rats moles and like pests shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

#### Section 916 Cruelty to Domestic Animals

Whoever wantonly or cruelly ill-treats overloads beats or otherwise abuses any animal whether belonging to himself or another or abandons any maimed sick infirm or disabled animal or keeps or uses or in any way is connected with or interested in the management of or receives money for the admission of any person to any place kept or used for the purpose of fighting or baiting any bull bear dog cock or other creature or encourages aids or assists therein or permits or suffers any place to be so kept or used shall upon conviction thereof in a summary proceeding for the first offense be fined not exceeding twenty dollars (\$20) and for the second offense and every subsequent offense shall be fined not exceeding fifty dollars (\$50) and in default of payment thereof shall be imprisoned not exceeding fifty (50) days

Any prosecution for the violation of this section may be instituted by an incorporated society for the prevention of cruelty to animals and any fine collected in a proceeding so instituted shall be paid over to such society

Whenever any person is arrested and charged with a violation of this section the person taking him into custody may take charge of the animal and of any vehicle used in connection there with and deposit the same in

some safe place of custody and upon conviction of any such person the necessary expenses which may be incurred for taking charge of and keeping such animal or vehicle shall be a lien thereon and shall be paid before either said animal or vehicle can lawfully be recovered or the said expenses or any part thereof remaining unpaid may be recovered by the person incurring the same from the owner of said creature in any action therefor

#### Section 917 Selling or Using Disabled Horse

Whoever sells or offers for sale any horse which by reason of debility disease or lameness or for other cause could not be worked without violating the laws against cruelty to animals or leads rides or drives any such horse for any purpose except that of conveying the animal to a proper place for its humane keeping or killing or for medical or surgical treatment shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding one hundred (100) days

Any prosecution for the violation of this section may be instituted by an incorporated society for the prevention of cruelty to animals and any fine collected in a proceeding so instituted shall be paid over to such society

#### Section 918 Hours of Labor of Animals

Whoever leads drives rides or works or causes or permits any other person to lead drive ride or work any domestic animal for more than fifteen (15) hours in any twenty-four (24) hour period or for more than ninety (90) hours in any one week shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50) and in default of payment thereof shall be imprisoned not exceeding fifty (50) days

Any prosecution for the violation of this section may be instituted by an incorporated society for the prevention of cruelty to animals and any fine collected in a proceeding so instituted shall be paid over to such society

#### Section 919 Cruelty to Cow to Enhance Appearance of Udder

Whoever kneads or beats or pads the udder of any cow or wilfully allows it to go unmilked for a period of twenty-four (24) hours or more for the purpose of enhancing the appearance or size of the udder of said cow or by a muzzle or any other device prevents its calf if less than six weeks old from obtaining nourishment and thereby relieving the udder of said cow for a period of twenty-four (24) hours shall upon conviction thereof in a summary proceeding be fined not exceeding twenty-five dollars (\$25) and in default of payment thereof shall be imprisoned not exceeding twenty-five (25) days

#### Section 920 Cropping Ears of Dog

Whoever crops the whole or part of the ear of a dog or shows or exhibits any dog whose ear is cropped unless such person has in his possession a certificate of a duly licensed veterinarian stating that such cropping was necessary for the health of the dog shall upon conviction thereof in a summary proceeding for the first offense be fined not exceeding twenty-five dollars (\$25) and in default of payment thereof shall be imprisoned not exceeding twenty-five (25) days and for a second or subsequent offense shall be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding sixty (60) days

#### Section 921 Seizure and Sale of Animals Kept for Baiting or Fighting

Any agent of an incorporated society for the prevention of cruelty to animals shall have power to seize any bull bear dog cock or other creature kept used or intended to be used for the purpose of fighting or baiting and to sell the same for the benefit of said society when any such seizure is made the creature so seized shall not be deemed absolutely forfeited but shall be held by the agent seizing the same until a conviction of some person is first obtained for keeping or using or being connected with or interested in the management of any place used for any such purpose where the creature so seized shall have been found on the premises which are the subject of the complaint charging such offense The agent making such seizure shall make due return to the magistrate before whom

such complaint is heard of the number and kind of creatures so seized by him and it shall be the duty of the magistrate hearing the complaint in case of a conviction to make the forfeiture of such creatures seized a part of the sentence

#### Section 922 Power to Make Arrests in Cruelty-to-Animal Cases

Any peace officer or any agent of an incorporated society for the prevention of cruelty to animals may arrest upon view for any violation under section nine hundred fifteen (915) to nine hundred twenty-one (921) inclusive of this act and any such peace officer or agent may also arrest on warrant duly issued according to law for any such violation

### Article X

#### Offenses Against The Coin and Forgery

##### Section 1001 Counterfeiting or Debasement of Coinage

Whoever with respect to the coinage in use as money within this Commonwealth and with intent to defraud

(a) Counterfeits the same  
(b) Debases a genuine coin by defacing impairing or diminishing it

(c) Traffics in or brings into this Commonwealth by any coin knowing the same to be counterfeit or debased

(d) Utters or has in his possession with intent to utter any coin known by him to be counterfeit or debased shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 1002 Making or Issuing Unauthorized Currency  
Whoever makes or issues any note bill check ticket or order intended to be used as currency which is not authorized by law shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

##### Section 1003 Forging or Counterfeiting Written Instruments

Whoever with intent to defraud

(a) Forges counterfeits or alters any written instrument of apparent legal efficacy

(b) Utters or has in his possession such instrument knowing the same to be forged counterfeit or altered

(c) Is concerned in the doing of any of the acts prohibited and made criminal by this section shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

##### Section 1004 Making or Possessing Counterfeiting Tools and Material

Whoever sells makes prepares or repairs or has in his possession any tool instrument implement machine or material with intent that the same shall be used by himself or another in forging altering counterfeiting or debasing any written instrument of apparent legal efficacy or any of the coinage in use as money in this Commonwealth shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

##### Section 1005 Advertising Counterfeited or Forged Matter

Whoever writes prints publishes or distributes or has in his possession with intent that it be published or distributed any written or printed matter

(a) Advertising or offering to furnish or procure any counterfeited forged or debased coin token or written instrument of apparent legal efficacy

(b) Giving or purporting or offering to give information where how of whom or by what means any of the afore-said may be procured with knowledge that any such is counterfeit forged or debased shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

##### Section 1006 Tampering with Public Records

Whoever with intent to defraud destroys forges defaces alters falsifies secretes or carries away any minute document or record of any public office shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both If such offense be committed by a public officer it shall constitute misbehavior in office as provided for in the Constitution of this Com-

monwealth and as a part of the judgment of the court such officer shall upon conviction be removed from office and the office declared vacant

##### Section 1007 Forging Telegrams

Whoever with intent to deceive injure or defraud sends or delivers any false or forged telegram knowing the same to be false or forged shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

##### Section 1008 Forging Brands

Whoever with intent to defraud counterfeits impresses alters conceals defaces or erases the trade-mark mark brand or stamp on any article or container shall be imprisoned not exceeding one (1) or fined not exceeding one thousand dollars (\$1000) or both

##### Section 1009 Possession of Forged Labels etc

Whoever has in his possession or custody any stamp wrapper or label or any die plate or engraving from which such stamp wrapper or label may be made with intent to defraud by aiding in any way whatever the selling of goods as the goods of another shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

##### Section 1010 Selling Goods with Forged Labels

Whoever sells any goods having thereon any forged or counterfeited stamp mark wrapper or label of another knowing the same to be forged or counterfeited shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

##### Section 1011 Fraudulent Acknowledgement of Instruments

Whoever fraudulently and corruptly acknowledges or procures to be acknowledged any deed or any writing authorized to be acknowledged or any recognizance or judgement in the name of any other person not privy thereto or consenting to the same shall be imprisoned not exceeding (3) years or fined not exceeding three thousand dollars (\$3000) or both

### Article XI

#### General Provisions

##### Section 1101 Common Law and Other Offenses Preserved

All conduct which is now criminal by either the common law or a statute of this Commonwealth not repealed by this act and not specifically provided for in this act shall continue to be criminal Whoever is convicted of a common law offense shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

##### Section 1102 Civil Rights and Remedies Preserved

The provisions of this act shall not affect any civil rights or remedies now existing by virtue of the common or statute law

##### Section 1103 Civil Penalties not Affected

The omission to specify or affirm in this act any liability to damages penalty forfeiture or other remedy imposed by law and allowed to be recovered or enforced in any civil action or proceeding for any act or omission declared punishable herein shall not affect any right to recover or enforce the same

##### Section 1104 Penal Acts Strictly Pursued

In all cases where a remedy is provided or duty enjoined or anything directed to be done by the penal provisions of any act of Assembly the direction of said act shall be strictly pursued and no penalty shall be inflicted or anything done agreeably to the provisions of the common law in such cases further than shall be necessary for carrying such act into effect

##### Section 1105 Principals in the Second Degree and Accessories Aiders and Abettors

Whoever aids abets counsels commands causes procures or is concerned in the commission of a crime may be charged indicted tried and convicted as a principal and unless another punishment is expressly provided by law punished in all respects as if he had actually committed the criminal act

##### Section 1106 Accessories After the Fact

Whoever knowing that a felony other than murder has

been committed by another unlawfully receives relieves comforts or assists him in order to hinder or prevent his apprehension trial conviction sentence or punishment shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Whoever is guilty of the crime defined by this section may be indicted tried convicted and sentenced for it whether or not the person committing the felony has been previously convicted or is amenable to justice

#### Section 1107 Accessories After the Fact in Murder

Whoever knowing that the crime of murder has been committed by another unlawfully receives relieves comforts or assists him in order to hinder or prevent his apprehension trial conviction sentence or punishment shall be imprisoned not exceeding twelve (12) years or fined not exceeding twelve thousand dollars (\$12,000) or both

#### Section 1108 Attempts to Commit Crime

Whoever attempts to commit a crime shall be guilty of a crime and shall be

(a) Imprisoned not exceeding twenty (20) years or fined not exceeding ten thousand dollars (\$10,000) or both if the crime which he attempted is punishable by death or imprisonment for life

(b) Imprisoned not exceeding one-half or fined not exceeding one-half or both of the maximum imprisonment and fine prescribed by law for the crime attempted except where the punishment for such attempt is specifically provided for by law

Upon the trial of any person charged with a crime the jury may convict the accused either of the crime charged or of an attempt to commit the same as the evidence may warrant

#### Section 1109 Solicitation

Whoever solicits another to commit a crime if such solicitation is not otherwise specifically punishable by law shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Whoever is convicted of solicitation to commit the crime of perjury in addition to the penalties herein prescribed shall be disqualified thereafter from being a witness

#### Section 1110 Conspiracy

Whoever conspires with another person to do an unlawful act shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

#### Section 1111 Sentences

Imprisonment at separate or solitary confinement at hard labor and all modified forms thereof are hereby abolished and all sentences to imprisonment for any offense shall specify imprisonment only notwithstanding the provisions of any act prescribing any form of imprisonment hereby abolished

Any crime punishable by imprisonment by two (2) or more years shall be deemed a crime punishable by imprisonment in a state penitentiary and the sentence imposed for any such crime may be to a state penitentiary in all other respects sentence shall be imposed in the manner now or hereafter provided by law

#### Section 1112 Restitution

On all convictions for any crime wherein property has been stolen or convicted in addition to the punishment prescribed therefor the defendant may be sentenced to restore such property to the owner thereof and in default of such restitution to pay the value of the same or so much thereof as may not be restored The court shall have the power in adjudging restitution as aforesaid to fix and determine the amount to be paid in accordance with the evidence presented but not judgment of restitution shall debar the owner of his right by appropriate legal action to recover from the defendant the said property or the true value thereof less such payments as shall have been actually made by the defendant in compliance therewith

#### Section 1113 Second and Subsequent Offenses

##### (a) Second and Third Offenses

Whoever after having been convicted within or without this Commonwealth of the crime or attempt to commit the crime of treason murder voluntary manslaughter sodomy burglary felonious entry robbery arson kid-

napping sale of narcotics perjury abortion inducing and fostering prostitution forced marriage and incest or any crime committed or attempted to be committed through the instrumentality of or with the aid of a deadly weapon or gunpowder or other explosive substance or corrosive fluid may upon conviction of any such crimes for a second offense committed within five (5) years after the conviction for the first offense or subsequent offense committed within five (5) years after the conviction for the second offense be sentenced to imprisonment for a term the maximum of which shall not be more than twice the longest term prescribed upon a first conviction of the crime in question

##### (b) Fourth offenders

Whoever after having been three (3) times convicted within or without this Commonwealth of any of the crimes enumerated in subsection (a) of this section again commits any such crime within five (5) years after the third conviction may be sentenced in the discretion of the judge trying the case to imprisonment in a State penitentiary for the term of his natural life

##### (c) Computation of Period Between Convictions

In computing the period of time between convictions as provided in subsections (a) and (b) of this section any period of servitude by a person in a penal institution within or without this Commonwealth shall not be included in the computation of any of said five-year periods It is hereby declared that the intent of said subsections is that said five-year periods shall run only during the time any such person shall be at liberty

##### (d) Accusation of Previous Convictions Procedure

If at any time within two (2) years either after conviction or sentence it shall appear that a person convicted of any of the crimes set forth in subsection (a) of this section has previously been convicted of any such crimes one (1) or more times it shall be the duty of the district attorney of the county in which the last conviction was had to file a complaint accusing the said person of having violated the provisions of and being amenable to the punishment provided for in subsection (a) or (b) hereof as the case may be and to serve a copy of such information upon the defendant thirty (30) days before taking any further proceedings in court as hereinafter set forth Thereupon the court in which the last conviction was had shall cause the said person whether confined in prison penitentiary or otherwise to be brought before it and shall inform him of the allegation contained in such complaint and of his right to be tried as to the truth thereof according to law and shall require such offender to say whether he is the same person as charged in such complaint or not If he says he is not the same person or refuses to answer or remains silent his plea or the fact of his silence shall be entered on record and a jury shall be empanelled to inquire whether the offender is the same person mentioned in the several records as set forth in such complaint If the jury finds that he is the same person or if he acknowledges or confesses in open court after being duly cautioned as to his rights that he is the same person the court may sentence him to imprisonment as prescribed in subsection (a) or (b) of this section and shall vacate any previous sentence notwithstanding that the term of court in which the last sentence was imposed may have expired Such sentences shall be reviewable on appeal by the Supreme or Superior Courts not only as to alleged legal errors but also as to the justice thereof Where any such defendant is indigent the costs of appeal together with reasonable counsel fee shall be paid by the Commonwealth Whenever it shall become known to any warden or prison probation parole or police officer or other peace officer that any person charged with or convicted of crime has been previously convicted within the meaning of this section it shall become his duty forthwith to report the facts to the said district attorney

##### (e) Formal Indictment and Conviction Unnecessary

A person need not be formally indicted and convicted as a previous offender in order to be sentenced under this section

Article XII

Act of Assembly Repealed

Section 1201 Repeals

Except as herein provided the following acts and parts of acts and their amendments are hereby repealed absolutely

Section eighteen of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 587) entitled "An act to protect the public health by regulating the manufacture preparation handling storage sale transportation and possession of meat and meat-food products prescribing the powers and duties of the State Livestock Sanitary Board incidental thereto"

The act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1364) entitled "An act prohibiting the use of counterfeit or spurious coins in automatic instruments or machines and providing a penalty"

The act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 188) entitled "An act to amend the title and section one of the act approved the twenty-fifth day of June one thousand nine hundred and thirty-one (P. L. 1364) entitled An act prohibiting the use of counterfeit or spurious coins in automatic instruments or machines and providing a penalty" as amended by including the use of other fraudulent methods and artifices to procure the operation of such instruments or machines"

The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth"

The act approved the tenth day of April one thousand nine hundred forty-five (P. L. 184) entitled "An act to prohibit the unlawful wearing of uniforms of the armed forces or branches thereof and imposing penalties for violation thereof"

Section two of the act approved the fifth day of May one thousand nine hundred forty-five (P. L. 426) entitled "An act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents making certain offenses punishable as perjury and imposing penalties"

Section eight of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 577) entitled "An act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties"

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed except insofar as the same (a) relate to the jurisdiction to indict and try offenses or (b) fix the limitation of time within which persons charged with offenses may be indicted or (c) relate to evidence or the competency of witnesses or (d) relate to searches and seizure or (e) relate to the return of transcripts of cases or (f) relate to the form or contents of indictments

- On the question,
- Will the House agree to the bill on third reading?
- It was agreed to.
- On the question,
- Shall the bill pass finally?

The SPEAKER. For the information of the Members, after the consideration of Senate Bill 243, Printer's No. 679, the Chair will clear the table and then declare a recess for one hour, if there are no objections.

Mr. TOMPKINS. Mr. Speaker, Senate Bill 243, referred to as the Penal Code or the crimes act, numerous inquiries have been received in connection therewith, and I feel that some explanation of the bill is in order. This might be known as the mystery bill in some respects.

In some instances it seems difficult to understand why fire works were put into the bill in the Senate. On the part of the House there seems to be some mystery why it did not go in in the House. As a matter of fact, the bill was taken from the desk the other day for amendment. The bill also in many respects might be referred to and has been referred to as the gamblers' act.

This bill has many provisions in it, one of which refers to gamblers alone. Many times it appears as though we have no gambling laws on our statue books. That is not true; we have them on our statute books at the present time. The only thing this does is to increase the monetary penalty from five hundred dollars to one thousand dollars. In connection with this particular section of the bill I feel justified at this time in reading this editorial taken from the Harrisburg Evening News of Monday, April 25, as follows:

"Pending and still commanding attention are the Duff housing program, the measures to provide roadside-zoning, the sharper teeth that need to be put into the State's gambling laws. Of course there are many others, but the organized resistance of gambling interests to heavier fines and penalties for their violation of the laws is still another challenge to the Legislature.

"We have gamblers all over the place today," said Chairman McKinney of the House Judiciary Committee.

"The Senate has passed the measure on to the House. The House ought to emphasize its integrity by adopting the bill before tonight's sunset. A Legislature can survive the brand of being dominated by dairy, truck, rail, corporate and similar interests, but shame will track it for years if the impression prevails that gamblers grabbed the Legislature's throat and choked it into submission."

Now, in this House a couple of weeks ago there was circulated a sheet containing a great number of items which it was contended were included in the bill. These items were checked item by item by a subcommittee of the Committee on Judiciary to study this bill, and also by the Joint State Government Commission staff, and we find that in all respects the items mentioned in this list that was circulated have been taken care of.

A great number of the items related to mistakes which are contained in the general provisions of that section. I have been questioned with reference to certain sections not being in it, but we found among them only one we felt was not included in the bill itself, which was inserted as an amendment. We also found that there were several sections that were not in the bill at all which were deleted by the Joint State Government Commission. It was felt that this particular offense was exclusively of Federal jurisdiction and therefore the state should not take it on.

Then there is a section with reference to discrimination. That section is specifically covered by Section 212 of the particular bill before us. As you go down the list, you will find every item on that sheet is contained in this bill or has been properly accounted for.

Now, Mr. Speaker, I don't want to take up too much

time of the House in connection with this bill. It has been thoroughly studied for four years. Four years ago the Joint State Government Commission started to study this bill with a committee composed of Members of the House, the Senate, Judges of the state, District Attorneys of this state, and defense councils of this state. We had a complete coverage of viewpoints when this bill was drafted. The bill did not go through the last session until the closing days, when it was acted upon. During the past two years it has received further study, and Mr. Orban, the gentleman from Somerset, and myself, two members of the committee, two years ago studied this bill. Then the gentleman from Westmoreland, Mr. Weiss, was added as a member. This bill has received a very careful and thoughtful study. We find and are convinced that the bill as a whole is a step forward in criminal jurisprudence in the State of Pennsylvania.

For me to stand up here and enumerate for you the list of offenses would take too long, and I am sure the Members of the House would tire. Therefore, based upon the study which has been made by the Joint State Government Commission and their staff, based upon the thorough study made by the subcommittee of the Judiciary and the Committee on Judiciary as a whole, we firmly recommend the adoption of this bill 243.

Mr. WORLEY. Mr. Speaker, it was my Resolution No. 11, Printer's No. 382, of the 1945 regular Session that started the revision of Pennsylvania's criminal laws. This is the result after four years of work by many Judges, law school deans, law school professors, District Attorneys, Defense Attorneys, Senators and Representatives of this House. As Vice-Chairman of the Revision Committee and as a Member of this Legislature, I must say that I approve of most of the sections of this revision as embodied in this bill, but there are some I do not approve and which I also voted against in the Revision Committee. I am voting for this bill, but by that vote, I am not approving nor consenting to some of the provisions therein. I am voting for the bill on the ground that its good exceeds its bad, and that where it is bad, it has not increased the bad features of the present law.

Mr. WEISS. Mr. Speaker, as a minority member of the subcommittee, I want to join in the remarks of the gentleman from Cameron, Mr. Tompkins, and with him, I ask for the approval of this bill.

Mr. HOMER S. BROWN. Mr. Speaker, I would like to extend my warm personal thanks to the members of the advisory committee of the Joint State Government Commission who served in 1947 and who served in redrafting the bill we are acting upon now.

I wish also to express my warm thanks to the Chairman of the subcommittee of the House Committee on Judiciary, the gentleman from Cameron, Mr. Tompkins, the gentleman from Somerset, Mr. Orban, and the gentleman from Westmoreland, Mr. Weiss. I believe that the House should be grateful to those Members for the scanning of this very important legislation and for the many, many hours of time that they put in in its preparation so that this bill could come before the House for our consideration at this time.

Mr. GUARNIERI. Mr. Speaker, the present bill represents many years of study and work. I must concur with the remarks of the gentlemen who have preceded me. There are many features which have for many years

needed change. Of course, the uniformity in penalty is one good thing. There are many other good things. I think on the whole this great work done by our Judges and the subcommittee is certainly deserving of our sincere thanks, in compiling this codification of the criminal code. I think this is a good bill and we should vote for it.

Mr. ORBAN. Mr. Speaker, at the time the gentleman from Cameron, Mr. Tompkins, explained this bill to you, there was considerable confusion in the House, and for that reason I want to repeat that the Section placed in the bill by the Senate pertaining to fireworks has been removed.

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, on Page 56, if a man were to give away a punch board he would be subject to a fine of one thousand dollars or a year in jail, would he not?

Mr. TOMPKINS. Mr. Speaker, yes, if he gave it away for the purpose of having it used for gambling purposes, but not otherwise.

Mr. HEATHERINGTON. Mr. Speaker, if a man does not have a fixed residence, then the court would have to decide whether the man was in the habit of gambling before they could fine him one thousand dollars, is that correct?

Mr. TOMPKINS. That is right, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, on page 104, "Whoever being the proprietor or manager of any place," which means any club of any kind in the state, "of resort or entertainment keeps or permits to be placed upon the premises any game upon which there shall be staked intoxicating drinks"—suppose you walk into the Elks room and you decide you want to play pool for a glass of beer,—would the manager be subject to a one hundred dollar fine and or thirty days in jail?

Mr. TOMPKINS. Mr. Speaker, I didn't quite get that question.

Mr. HEATHERINGTON. Mr. Speaker, if a man under that section goes into a club, whether it is a firemen's club or a veteran's club or anything else and he decides to play a game of pool with another member of the club, the winner pays for the drinks; the manager of the club under this section then is subject to a one hundred dollar fine or thirty days in jail?

Mr. TOMPKINS. I would say yes, that has always been the law. Whether or not it is good law and has been enforced is another question. It has been on the statute books:

Mr. HEATHERINGTON. Mr. Speaker, what assurance do we have that this one is going to be enforced?

Mr. TOMPKINS. Mr. Speaker, this bill does not have anything to do with the enforcement of the law; it has to do with crime.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—126

Altshuler,	Fox,	Kurtz,	Royer,
Andrews,	Frost,	Lee,	Scanlon,
Bane,	George,	Leisey,	Scott,
Barkdoll,	Gibson,	Leonard,	Seyler,
Beaver,	Glembocki,	Madigan,	Shoemaker,
Bloom,	Good,	McCullough,	Smith, C. O.,
Bomberger,	Goodling,	McKinney,	Smith, W. B.,
Boorse,	Graybill,	McMillen,	Snider,
Bower,	Green,	Miller,	Sollenberger,
Brandon,	Greer,	Milliken,	Spencer,
Breisch,	Guarnieri,	Moore, C. E.,	Stimmel,
Breth,	Guthrie,	Moran,	Stuart,
Brice,	Hall,	Murray,	Swope,
Brown, H. G.,	Hamilton,	Musto,	Thompson,
Brown, W. E.,	Haudenschild,	Nagel,	Tompkins,
Brunner,	Heatherington,	Neff,	Toomey,
Bucchin,	Helm,	Nixon,	Varner,
Cadwalader,	Herman,	O'Donnell,	Wagner,
Clapper,	Hocker,	Orban,	Waterhouse,
Clendenning,	Hoffman,	Pentrack,	Watkins,
Cooper,	Hoggard,	Pfaff,	Weidner,
Dalrymple,	Hunter,	Polen,	Weiss,
Dennison,	Jenkins,	Price, H. W., Jr.,	Wescott,
Deputy,	Johnson,	Price, R. A.,	Westrick,
Dye,	Kamyk,	Propert,	Wheeler,
Erb,	Keller,	Readinger,	Wood,
Evans,	Kemp,	Reagan,	Worley,
Ewing,	Kent,	Relly, J. M.,	Yeakel,
Erster,	Kirley,	Riley, R. L.,	Young,
Filo,	Kline,	Robertson,	Ziegler,
Firmstone,	Kondrath,	Rose,	Sorg,
Fleming,	Kratz,	Rovansek,	Speaker

## NAYS—63

Amarando,	Hersch,	Mills,	Sax,
Bednarek,	Jennings,	Mintess,	Schmidt,
Bales,	Jim,	Monroe,	Schuster,
Cole,	Jones, G. E.,	Munley,	Stank,
Coleman,	Jones, J. M.,	Najaka,	Sternberg,
Costa,	Jump,	Needham,	Tahl,
DeLong,	Kohl,	O'Dare,	Taylor,
Dougherty,	Kolankiewicz,	Peta,	Varallo,
Driscoll,	Lederer,	Petrosky,	Verona,
Duffy,	Limper,	Pettigrew,	Wargo,
Elder,	Loftus,	Posta,	Welsh,
Felton,	Lovett,	Powers,	Williams,
Floyd,	McCormack,	Reldenbach,	Yaffe,
Gaffney,	McGee,	Robbins,	Yester,
Gallagher,	Mihm,	Rosen,	Yetzer,
Hagerty,	Mikula,	Sarraa,	

## NOT VOTING—19

Baumunk,	Frank,	Krise,	Penglass,
Blair,	Greenwood,	McNally,	Reese,
Cochran,	Harney,	Moore, H. A.,	Reynolds,
Conway,	Harris,	Olsen,	Wachhaus,
Flack,	Hewitt,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## COMMITTEE RECORDS

The SPEAKER. In accordance with the provisions of House Rule 31, the Standing Committees of the House are required to file with the Chief Clerk, all committee records. The chairmen are directed at their earliest convenience to carry out the provision of this rule.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill

from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1325.

An Act to provide for the ordinary expenses of the executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-nine, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-nine.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 13, line 19, by striking out the word "the" and inserting in lieu thereof the following: "for the purchase of materials and for payment of the necessary expenses including vaccination of animals for control of dangerous contagious and infectious diseases the"; page 17, lines 1 and 2 by striking out after the second word "of" the following "one hundred sixty thousand dollars (\$160,000)" and inserting in lieu thereof the following "one hundred sixty-five thousand dollars (\$165,000)."

Amend section 2, page 19, line 15, by striking out after the word "boards" the following "the sum of five million seven hundred sixty thousand dollars (\$5,760,000)" and inserting in lieu thereof the following: "and for the operation of a health program to relieve children and adults suffering from cleft palate or harelip the sum of five million nine hundred fifty thousand dollars (\$5,950,000)."

Amend Section 2, page 21, lines 3 and 4, by striking out after the word "of" the words "ten million seven hundred fifty thousand dollars (\$10,750,000)" and inserting in lieu thereof the following "ten million six hundred fifty thousand dollars (\$10,650,000)."

Amend section 2, page 26 by striking out on lines 18, 19 and 20 the following: "for the payment of any and all expenses incident to furnishing men material and equipment to relieve unemployment or drought conditions throughout the State or when a disaster occurs."

Amend Section 2, page 29, by inserting after line 19 the following: "for the payment of any and all expenses incident to furnishing men material and equipment to relieve unemployment or drought conditions throughout the State or when a disaster occurs the sum of five hundred thousand dollars (\$500,000)."

Amend Section 2, page 40, line 3 by striking out after the word "of" the words "ninety-four thousand dollars (\$94,000)" and inserting in lieu thereof the words "two hundred thousand dollars (\$200,000)."

Amend Section 2, page 43, lines 17, 18 and 19 and page 44, line 1, by striking out after the word on line 17 "to," the following "the appropriation to the Thaddeus Stevens Trade School made by this paragraph all moneys collected from the Federal Government by the institution or by the Commonwealth in payment of support or training of members of Federal military establishments" and inserting in lieu thereof the words "said amount all income and all moneys collected."

Amend Section 2, page 44, line 19, and page 45, line 1, by striking out after the word "of" on line 19 the following "sixteen million dollars (\$16,000,000)" and inserting in lieu thereof the following "sixteen million one hundred thousand dollars (\$16,100,000)."

Amend Section 2, page 45, line 19 by inserting after the word "recipients" the words "or other unemployed."

Amend Section 2, page 47, line 4, by striking out after the word "of" the words "one hundred ninety-five million dollars (\$195,000,000)" and inserting in lieu thereof the following "two hundred three million dollars (\$203,000,000)."

Amend Section 2, page 48, line 1, by inserting after the

word "law" the following "and for readers helpers guides aids and appliances for blind in public schools also for cost of tuition and maintenance of mothers and their blind babies in schools approved by the Department of Public Instruction"; line 6 by striking out after the word "hundred" the words "thousand dollars (\$2,700,000)" and inserting in lieu thereof the following "twenty-seven thousand and five hundred dollars (\$2,727,500)"; lines 15, 16 and 17 by striking out after the word "of" on line 15 the following "thirteen million three hundred sixty-one thousand and one hundred sixteen dollars (\$13,361,116)" and inserting in lieu thereof the following: "fifteen million eight hundred sixty-one thousand one hundred sixteen dollars (\$15,861,116)."

Amend Section 2, page 49, lines 9 and 10, by striking out after the word "of" the words "one hundred eighty thousand dollars (\$180,000)" and inserting in lieu thereof the following "three hundred forty thousand dollars (\$340,000)."

"For the payment of increased retirement allowances to employes on retirement as of September 1, 1949 the sum of two million eight hundred thousand dollars (\$2,800,000)."

Amend Section 2, page 52, line 3, by striking out after the word "of" the words "forty thousand dollars (\$40,000)" and inserting in lieu thereof the following "thirty thousand dollars (\$30,000)."

Amend Section 2, page 61, lines 15 and 16 by striking out after the second word "of" the following "fifty-six million seventy-seven thousand dollars (\$56,077,000)" and inserting in lieu thereof the following "fifty-seven million seventy-seven thousand dollars (\$57,077,000)."

Amend Section 2, page 68, lines 2 and 3, by striking out after the second word "of" the following "six hundred thousand dollars (\$600,000)" and inserting in lieu thereof the following "six hundred twenty thousand dollars (\$620,000)."

Amend Section 2, page 77, line 8, by striking out after the word "of" the following "three thousand dollars (\$3000)" and inserting in lieu thereof the following "five thousand dollars (\$5000)"; line 11, by striking out after the second word "of" the following "four thousand dollars (\$4000)" and inserting in lieu thereof the following "five thousand dollars (\$5000)."

Amend Section 2, page 79, line 8, by striking out after the word "of" the following "two thousand five hundred dollars (\$2500)" and inserting in lieu thereof the following "five thousand dollars (\$5000)"; line 11, by striking out the words "two thousand dollars (\$2000)" and inserting in lieu thereof the words "four thousand dollars (\$4000)"; line 14, by inserting after the word "ship" the following "during the recess ending December first one thousand nine hundred fifty the sum of one thousand dollars (\$1000) and for like expenses."

Amend Section 2, page 80, line 1, by inserting after the word "whip" the following "during the recess ending December first one thousand nine hundred fifty the sum of seven hundred fifty dollars (\$750) and for like expenses."

Amend Section 2, page 87, line 8, by striking out after the second word "of" the following "four thousand dollars (\$4000)" and inserting in lieu thereof the words "five thousand dollars (\$5000)."

Amend Section 1, page 90, lines 6 and 7, by striking out after the word "of" the words "three thousand five hundred dollars (\$3500)" and inserting in lieu thereof the words "five thousand dollars (\$5000)"; line 9, by striking out after the word "of" the words "two thousand dollars (\$2000)" and inserting in lieu thereof the words "four thousand dollars (\$4000)."

Amend Section 2, page 91, line 1, by inserting after the word "whip" the following "during the recess ending December first one thousand nine hundred fifty the sum of one thousand dollars (\$1000) and for like expenses"; line 8, by inserting after the word "whip" the following "during the recess ending December first one thousand nine hundred fifty the sum of seven hundred fifty dollars (\$750) and for like expenses."

Amend Section 2, page 93, line 17, by striking out after

the word "of" the following "two hundred thousand dollars (\$200,000)" and inserting in lieu thereof the following "two hundred fifty thousand dollars (\$250,000)."

Amend Section 2, page 97, lines 7 and 8, by striking out after the word "of" the following "one hundred eleven thousand twenty-five dollars (\$11,025)" and inserting in lieu thereof the following "one hundred eighteen thousand eight hundred twenty-five dollars (\$18,825)."

Amend Section 2, page 99, lines 14 and 15, by striking out after the word "of" the following "three million six hundred sixty-three thousand dollars (\$3,663,000)" and inserting in lieu thereof the following "three million seven hundred fifty-five thousand dollars (\$3,755,000)."

Amend Section 2, page 100, line 7, by striking out after the word "of" the words "forty thousand dollars (\$40,000)" and inserting in lieu thereof the following "fifty thousand dollars (\$50,000)."

Amend Section 2, page 102, line 4, by striking out after the word "of" the words "twenty-eight thousand four hundred forty dollars (\$28,440)" and inserting in lieu thereof the following "twenty thousand six hundred forty dollars (\$20,640)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. WOOD. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglass,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Westrick,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## APPROPRIATIONS COMMITTEE THANKED

The SPEAKER. The Chair wishes to thank the Chairman of the Committee on Appropriations and the members of that Committee for a job well done.

## SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE  
ON SENATE BILL No. 399

The Clerk of the Senate being introduced informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 399, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P.L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of certain additional words in corporate name changing the contents of articles of Young Men's Christian Associations authorizing the passage of by-laws superseding the charter on purely administrative matters permitting notice of meetings to be given by advertisement changing certain provisions relating to mergers consolidations and foreign corporations and repealing an act

And has appointed Messrs. Tallman, Mahany and Rosenfield a committee of conference to confer with a similar committee of the House of Representatives already appointed on the subject of the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE  
ON SENATE BILL No. 400

The Clerk of the Senate being introduced informed that the Senate insist on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 400, entitled:

"An act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P.L. 364) entitled 'An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; \*\*\*,' by changing the requirements of and effect of notice to shareholders in certain cases; further limiting the use of certain words in corporate names;

defining the term of office of the first directors; changing provisions relating to the inception of corporate existence or authority to do business; changing the requirements of contents of articles of incorporation and application for certificates of authority; providing for indemnification of directors and officers and other persons of certain expenses; making certain changes relating to officers, assistant officers and agents; the determination of shareholders of record; cancellation of acquired shares; advertising in connection with articles of amendment; issuance and redemption of shares; amendment of articles of incorporation; merger and consolidation, \*\*\*,"

And has appointed Messrs. Tallman, Mahany and Rosenfield a committee of conference to confer with a similar committee of the House of Representatives already appointed on the subject of the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE  
ON SENATE BILL No. 530

The Clerk of the Senate being introduced informed that the Senate insist on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate bill No. 530, entitled:

An Act to amend section ten of the act approved the seventh day of July one thousand nine hundred forty-seven (P.L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" by increasing the minimum annual salaries of associate judges not learned in the law

And has appointed Messrs. Stevenson, Tompkins and Neff a committee of conference to confer with a similar committee of the House of Representatives already appointed on the subject of the differences existing between the two Houses in relation to said bill.

AMENDED HOUSE BILL RETURNED FOR  
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 178.

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P.L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the bill by adding after Line 15, Page 3, the following:

Section 3 The additional moneys required to be paid out of the State Treasury in compliance with this amendment on account of said tax moneys received during the year one thousand nine hundred forty-nine shall be paid as herein provided only if there are unexpended and unencumbered moneys in the general fund at the end of the fiscal year of one thousand nine hundred forty-nine sufficient to make such payments The Governor shall with the advice of his fiscal officers make the final determination as to the availability of such moneys

Amend line 9, page 4, by striking out the figure "3" and inserting in lieu thereof the figure "4".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altschuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toompe,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Eider,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

**Kris.**

The majority required by the Constitution having

voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### SHEFFIELD HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Music Class of the Sheffield High School, Warren County, under the supervision of their teacher Mr. Loren Wright. They are the guests of the gentleman from Warren, Mr. Gibson.

#### SENATE MESSAGES

##### AMEND HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 234.

An Act to add a new section to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the use of the highways to vehicles in which television sets are installed

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 14, by striking out after the word "installed" the following "within the view of the operator."

Amend section 1, page 3, line 19, by striking out after the word "Vehicles" the words "In View of Operator" and page 4, lines 2 and 3 by striking out after the word "equipment" the words "whereby the video screen of such television set is within the view of the operator of such motor vehicle."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altahuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" by cancelling age requirement and changing length of service necessary to receive a pension

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 2 by inserting after the word "years" the word "continuous"; line 4 by striking out the bracket before the word "twenty-five"; by striking out on line 5 the words "twenty years."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembookl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 517.

An Act to further amend clause (3) of section thirteen of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 549.

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of roads from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, by inserting after line 5, the following:

"The section of road in Bethel Township Armstrong County identified in the records of the Department of Highways as Route 03052 Spur E extending easterly from 705 a distance of about .23 of a mile

"The section of road in Wayne Township Armstrong County identified in the records of the Department of Highways as Route 03087 Spur E extending easterly from 03087 a distance of about .07 of a mile the section of road identified in the records of the Department of Highways as Route 40064 Spur E beginning at a point on Route 361 near Meeker and extending northwesterly in Lebanon Township Luzerne County a distance of about 0.19 of a mile."

Amend Section 2, page 4, line 11, by striking out after the word "Caledonia" the words "Elk County a distance of about 3.69 miles"; page 4, line 13, by inserting after the word "township" the following:

"Elk County a distance of about 3.69 miles.

"The section of the former Spruce Creek and Phillipsburg Turnpike presently identified as State Highway Route 867 beginning at a point on Route 346 about one mile south of the Franklin-Spruce Creek Township line thence northerly in Spruce Creek Township Huntingdon County a distance of about 1.81 miles.

The section of the former Bridgewater and Wilkes-Barre Turnpike road presently identified as State Highway Route 842 beginning at a point on Route 57138 thence southeasterly to a point on Route 57078 in Bridgewater Township Susquehanna County a distance of about 1.12 miles."

Amend page 5, by striking out all of lines 9, 10, 11, 12, 13, 14, 15 and 16.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Althshuler,  
Amarando,  
Andrews,  
Bane,  
Barkdoll,  
Baumunk,  
Beaver,  
Bednarek,

Frost,  
Gaffney,  
Gallagher  
George,  
Gibson,  
Glembocki,  
Good,  
Goodling,

Loftus,  
Lovett,  
Madigan,  
McCormack,  
McCullough,  
McGee,  
McKinney,  
McMillen,

Rose,  
Rosen,  
Rovanssek,  
Royer,  
Sarraf,  
Sax,  
Scanlon,  
Schmidt,

Blair,  
Bloom,  
Boles,  
Bomberger,  
Boorse,  
Bower,  
Brandon,  
Brelsach,  
Breth,  
Brice,  
Brown, H. S.,  
Brown, W. E.,  
Brunner,  
Bucchin,  
Cadwalader,  
Clapper,  
Clendenen,  
Cochran,  
Cole,  
Coleman,  
Conway,  
Cooper,  
Costa,  
Dalrymple,  
DeLong,  
Dennison,  
Depuy,  
Dougherty,  
Driscoll,  
Duffy,  
Dye,  
Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank

Graybill,  
Green,  
Greenwood,  
Greer,  
Guarnieri,  
Guthrie,  
Hagerty,  
Hall,  
Hamilton,  
Harris,  
Harney,  
Haudenshield,  
Heatherington,  
Helm,  
Herman,  
Hersch,  
Hewitt,  
Hocker,  
Hoffman,  
Hoggard,  
Hunter,  
Jenkins,  
Jennings,  
Jim,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jump,  
Kamyk,  
Keller,  
Kemp,  
Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Leisey,  
Leonard,  
Limper,

McNally,  
Mihm,  
Mikula,  
Miller,  
Milliken,  
Mills,  
Mintess,  
Monroe,  
Moore, C. E.,  
Moore, H. A.,  
Moran,  
Munley,  
Murray,  
Musto,  
Nagel,  
Najaka,  
Needham,  
Neff,  
Nixon,  
O'Dare,  
O'Donnell,  
Olsen,  
Orban,  
Penglase,  
Pentrack,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Polen,  
Posta,  
Powers,  
Price, H. W., Jr.,  
Price, R. A.,  
Propert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Schuster,  
Scott,  
Seyler,  
Shoemaker,  
Smith, O. C.,  
Smith, W. B.,  
Snider,  
Sollenberger,  
Spencer,  
Stank,  
Sternberg,  
Stimmel,  
Stuart,  
Swope,  
Tahl,  
Taylor,  
Thompson,  
Tompkins,  
Toomey,  
Varallo,  
Varner,  
Verona,  
Wachhaus,  
Wagner,  
Wargo,  
Waterhouse,  
Watkins,  
Weldner,  
Weiss,  
Welsh,  
Wescott,  
Westrick,  
Wheeler,  
Williams,  
Wood,  
Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 550.

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, by inserting after line 7 the following:

"Route 03095 [extending Route 03095] beginning at a point on [the Dayton Borough-Wayne Township line] Route 03087 at Milton Street thence in a westerly direction on Main Street to an intersection with Route 534 at Main and State Streets in the Borough of Dayton Armstrong County a distance of about [5] .38 of a mile."

Amend Section 1, page 2, by inserting after line 20 the following:

"[Route 04089 extending Route 04089 beginning at a point on the Ambridge Borough-Harmony Township line hence over Wilson Avenue and Glenwood Road to an intersection with Route 641 at Glenwood Road and Duss Avenue in Ambridge Borough Beaver County a distance of about 0.6 of a mile]"

Amend page 4, by striking out all of lines 1, 2, 3, 4 and 5; page 5, line 11, by inserting after line 11 the following:

"BRISBIN BOROUGH

Route 17135 Extending Route 17135 beginning at a point on the south line of Brisbin Borough thence over a borough street to a point of intersection with Routes 170 and 17048 in the Borough of Brisbin Clearfield County a distance of about .5 of a mile.

"OSCEOLA MILLS BOROUGH

Route 17136 Extending Route 17136 Beginning at a point on the west line of Osceola Mills Borough at Curtain Street over Curtain Street French Street and Coal Street to a point on the Decatur Township-Osceola Mills Borough line in the Borough of Osceola Mills Clearfield County a distance of about .23 of a mile

"MECHANICSBURG BOROUGH

Route 21097 Extending Route 21097 Beginning at a point on the west line of Mechanicsburg Borough at Simpson Street thence easterly over Simpson Street to a point of intersection with Route 416 at Simpson and Market Streets in the Borough of Mechanicsburg Cumberland County a distance of about .75 of a mile."

"BROOKVILLE BOROUGH

Route 33090 Beginning at a point on Route 60 at the Brookville Borough-Pine Creek Township line thence southerly to an intersection with Hiawatha Street in Brookville Borough Jefferson County a distance of about .6 of a mile."

"CLARKS SUMMIT BOROUGH

Route 35069 Beginning at the intersection of Route 9 and Route 365 Spur thence southerly over Grove Street to a point on Route 671 in the Borough of Clarks-Summit Lackawanna County a distance of about 1.1 miles.

"WHITE HAVEN BOROUGH

Route 40118 Extending Route 40118 Beginning at a point on the south line of White Haven Borough thence northerly on Church Street to Route 40040 at Berwick Street in the Borough of White Haven Luzerne County a distance of about 0.97 of a mile."

Amend page 8, line 16, by inserting after line 16 the following:

"WIND GAP BOROUGH

Route 48101 Extending Route 48101 Beginning at a point on the westerly line of Wind Gap Borough thence easterly over a borough street to an intersection with Route 166 a distance of about 0.5 of a mile."

Amend page 9, by inserting after line 9, the following:

"GIRARDVILLE BOROUGH

Route 53118 Extending Route 53118 Beginning at a point on the east line of Girardville Borough thence north-westerly over a borough street to a point on Route 290 in the Borough of Girardville Schuylkill County a distance of about .3 of a mile.

"SELINSGROVE BOROUGH

Route 54070 Beginning at a point on Route 194 at the intersection of Pine and Market Streets thence easterly on Pine Street to the intersection of Pine and Front Streets in the Borough of Selinsgrove Snyder County a distance of about .47 of a mile."

Amend page 10, line 9, by inserting after line 9 the following:

"STOCKDALE BOROUGH

Route 62195 Extending Route 62195 Beginning at the Allenport-Stockdale Borough line thence over Railroad and Locust Streets to a point on Route 268 in the borough of Stockdale Washington County a distance of about 0.65 of a mile."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rovansek,
Andrews,	Gallagher,	Madigan,	Rosen,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglass,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennisson,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Wells,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W. Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 551.

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State Highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments

The Clerk read the amendments as follows:

Amend Section 1, page 3 by inserting after line 2, the following:

"Route 03052 Beginning at a point on Route [705 at T A Heilmann's thence northeasterly in Bethel Township to a point on the Bethel-Burrell Township line at Tunnellville thence southeasterly in Burrell Township past Riggle School and Myers' Crossroads to 03050 at Brick Church thence northwesterly in Burrell Township in Armstrong County a distance of about [5.5] 3.05 miles."

Amend Section 1, page 3 by inserting after line 16, the following:

"[Route 03064 Beginning at McCaslin's Crossroads on the Green Oak-Sagamore Road thence northly in Cowan-shannock Township to a point on Route 189 at Shannock Park in Armstrong County a distance of about 2.1 miles]

"Route 03091 Beginning at Route [67 near] 03137 north of Blanket Hill and running in [a northeasterly and] an easterly direction in Kittanning Township to a point on the Kittanning-Cowan-shannock Township line thence easterly in Cowan-shannock Township to an intersection at Sipe's Schoolhouse about .25 of a mile north of Margaret in Armstrong County a distance of about [5.6] 2.89 miles.

"[Route 03095 Beginning at a point on Main Street at the eastern borough line of Dayton Borough thence easterly through Wayne Township to connect with Route 32116 on the Armstrong-Indiana County line in Armstrong County a distance of about .7 of a mile]

"[Route 03135 Beginning at a point on Route 378 in the Village of Cadogan thence in a westerly direction through Cadogan and South Buffalo Townships to a point on Route 03009 in Armstrong County a distance of about 0.95 of a mile]

"[Route 04089 Beginning at the Ambridge Borough-Harmony Township line about 0.25 of a mile north of the Allegheny-Beaver County line and extending in a northeasterly and northerly direction through Harmony township to a point on Route 04011 about 0.1 of a mile west of the Economy-Harmony Township line in Beaver County a distance of about 1.2 miles.]"

Amend Section 1, page 6, line 1 by striking out after the word "on" the followin "Roue" and inserting in lieu thereof "Route"; by inserting after line6, the following:

"Route 07012 Beginning at a point on [the South Borough line of Hollidaysburg on the Beaverdam Branch in Blair Township Blair County thence southeasterly through Blair Township to the Village of Loop thence southeasterly to a point on the Blair-Frankstown Township line on the Frankstown Branch of the Juniata River] Route 07011 east of the Village of Loop thence southeasterly through Frankstown Township to a road intersection at a church approximately one-eighth of a mile east of Oldtown Run in Blair County a distance of about [5.2] 2.1 miles."

Amend Section 1, page 7, by inserting after the line 9, the following:

"[Route 08140 Beginning at a point on Route 08049 about 1.7 miles southeast of Soper Hollow thence in a general northeasterly direction through Columbia and Wells Townships to a point on Route 08050 at Corryland in Bradford County a distance of about 2.7 miles.]

"Route 08166 Beginning at a point on Route [08049] about 0.2 of a mile northwest of its intersection with Route 08140] 08046 at Austinville thence in a northerly [and easterly] direction through Columbia [Township] and Wells Townships to a point on Route [08140] 08116 about 1.2 miles [north] west of its intersection with Route [08049] 08050 in Bradford County a distance of about [1.6] 4.5 miles

"Route 10103 Beginning at a point on Route 75 about 2.3 miles northeast of Hooker thence in a general easterly direction through Concord Township [to the Concord-Fairview township line] in Butler County a distance of about [1.7 miles] .76 of a mile.

"[Route 10123 Beginning at a point on Route 10124 about 0.6 of a mile north of its intersection with Route 10070 thence in an easterly direction through Marion Township to a point on Route 10063 about 0.6 of a mile north of the Village of Boyers in Butler County a distance of about 1.3 miles]"

Amend Section 1, page 9 by inserting after line 20 on page 8, the following:

"Route 16035 Beginning at Winkler's Corners and running east through Beaver Township to a point on the dividing line between Beaver and Pain Townships thence northeast through Pain Township [Past Wagner's Corners] to a point of intersection with Route [65 at top of Clarion Hill] 16036 in Clarion County being a distance of about [3.0] 1.17 miles.

"[Route 16075 Beginning at a point on Route 64 about 0.1 of a mile east of the intersection of Routes 64 and 552 thence in a northeasterly direction through Clarion Township to a road intersection in Clarion County a distance of about 1.0 mile].

"[Route 16068 beginning at a point on Route 16030 about 0.5 of a mile southwest of the Lincking-Piney Township line thence in a southerly direction through Licking Township to a point on Route 311 about 0.5 of a mile west of the Sligo Borough line in Clarion County a distance of about 1.4 miles]

"Route 16080 Beginning at a point on Route 16055 at Fisher thence in a southwesterly direction through Mill-creek Township to a road intersection [about 1.2 miles northwest of Mill Creek] in Clarion County a distance of about [2.5 miles] .4 of a mile

"[Route 16085 Beginning at a point on Route 16066 about 0.7 of a mile west of St. Petersburg Borough thence in a northwesterly direction through Richland Township to a point on Route 75 about 1.0 mile east of Emlenton Borough in Clarion County a distance of about 1.7 miles]

"[Route 16086 Beginning at a point on Route 16017 near Black Fox School thence northerly and northwest-erly through Perry Township to a point on Route 16015 about 0.1 of a mile southwest of Route 16063 in Clarion County a distance of about 2.1 miles]

"[Route 16093 Beginning at a point on Route 214 about 0.6 of a mile east of Sligo Borough thence in a northerly direction through Piney Township to a point on Route 16032 about 0.1 of a mile south of Route 16069 in Clarion County a distance of about 1.9 miles]

"Route 17016 Beginning on Route 59 near Salem thence in a northerly and northwesterly direction through Brady and Sandy Townships to a point on Route 402 [near] west of Oklahoma in Clearfield County a distance of about [3.25] 3.6 miles

"[Route 17023 Beginning on Route 234 at the north line of Irvona Borough thence north through Beccaria and Jordan Townships to the county road in Clearfield County a distance of about 2.4 miles]

"Route 17024 Beginning at a point on Route [17021] 857 about one mile south on Ansonville thence in a south-eastwardly direction through Jordan Township to a point

on Route 17036 near McCartney in Clearfield County a distance of about [3.8] 2.76 miles

"[Route 17073 Beginning at a point on the county road at the western end of the village of Rockton in Union Township thence northwesterly parallel to Lick Creek to the intersection of Route 17030 at Smith Mills in Clearfield County a distance of about 2.1 miles]

"Route 17084 Beginning at a point on Route [17083] 862 about [.4] .6 of a mile west of Route 17041 thence westerly southerly and easterly through Lawrence Township by way of Mount Zion School to the Lawrence Township-Clearfield Borough line at Martin Street in Clearfield County a distance of about [4.6] 3.7 miles

"Route 17096 Beginning at a point on Route [17073 about .5 of a mile northwest of its intersection with Route] 362 [.] west of Rockton thence extending in a westerly and northwesterly direction through Union Brady and Sandy Townships to a point on Route 17030 about 1.2 miles southwest of its intersection with Route 17091 in Clearfield County a distance of about [4.1] 4.6 miles

"[Route 17100 Beginning at a point on Route 59 about 1.4 miles north of the Penn-Bloom Township line thence extending in a southwesterly and northwesterly direction by way of Goffe School through Bloom Township to a road intersection about 0.5 of a mile south of Route 59 in Clearfield County a distance of about 1.30 miles]

"[Route 17102 Beginning at a point on Route 857 about 1.0 mile east of the Glen Hope Borough line thence in a northerly and easterly direction through Beccaria Township to a point on the Beccaria-Bigler Township line in Clearfield County a distance of about 1.0 mile]

"[Route 17118 Beginning at a point on Route 17072 near the DuBois City Line thence in an easterly direction through Sandy Township to a point on Route 17016 near the Brooks School in Clearfield County a distance of about 1.6 miles]

"Route 17126 Beginning at a point on Route 17052 at the Village of Lecontes Mills thence in a general northwesterly direction through Girard Township and southerly in Goshen Township by way of Eden to a [road intersection 1.5 miles northwest of the village of Gillingham] point on Route 17052 at Shawville in Clearfield County a distance of about [5.4] 9.2 miles"

Amend Section 1, Page 14 by striking out all of lines 14, 15, 16 and 17 and inserting in lieu thereof the following:

"Route 21014 Beginning at a point [in Lower Allen Township intersecting Route 416] on the Cumberland-York County Line about .5 of a mile [west] south of Lisburn thence through Upper and Lower Allen Township to a point intersection Route 21023 about .5 of a mile south of Eberly's Mill in Cumberland County a distance of about [5] 5.45 miles

"[Route 21078 Beginning at a point on Route 21015 about 1.5 miles north of Route 708 thence easterly and northerly along Conodoquinet Creek through East Pennsboro Township to a point on application 231 in Cumberland County a distance of about 1.6 miles]

"Route 23041 Beginning at a point on Darby Road in Radnor Township and extending in an easterly direction through Radnor Township to the village of Ithan thence continuing through Radnor Township in a northerly direction [intersecting with routes] to an intersection with Route 577 [and 142] beginning again at a point on Route 142 about .7 of a mile north of Ithan thence northeasterly and northerly in Radnor Township to a point on the boundary line between Delaware and Chester Counties in Delaware County a distance of about [3.9] 3.3 miles

Amend Section 1, Page 17 by inserting after line 9 the following:

"[Route 30121 Beginning at a point on Route 30048 about .5 miles west of the intersection on Route 30048 and Route 109 thence in a northwesterly direction through Morris Township to a point on Route 30070 about 2 miles south of Beulah Church in Green County a distance of about 2.4 miles]

"Route 32019 Beginning at a point on Route [233 approximately .5 of a mile west of the village of Clyde in

West Wheatfield Township Indiana County] 32018 south of Heshbon thence northwesterly through West Wheatfield Township to a point on the West Wheatfield-Brush Valley Township line in the village of Heshbon thence northeasterly through Brush Valley Township to a point on Route 337 in the village of Mechanicsburg thence northeasterly to the village of Rice thence northeasterly to a point on the Brush Valley-Cherryhill Township line thence northeasterly through Cherryhill Township to a point on Route 301 approximately .5 of a mile northwest of the village of Kellers Mill in Indiana County a distance of about [13.1] 11.36 miles

Amend Section 1, Page 19 by inserting after line 5, the following:

"[Route 32093 Beginning at a road intersection on the East Mahoning-Grant Township line approximately two miles northwest of the village of Deckers Point in Grant Township Indiana County thence northerly through Grant Township to a point on the Grant Township to a point on the Grant-East Mahoning Township line thence northwesterly through East Mahoning Township to a road intersection 1.5 miles southwest of the village of Rochester Mills in Indiana County a distance of about 1.2 miles]

"[Route 32095 Beginning at a road intersection in the village of Nashville in Grant Township Indiana County thence easterly through Grant Township to a point on the Grant-Montgomery Township line thence southeasterly through Montgomery Township to a road intersection in the village of Gorman Summit in Indiana County a distance of about 2.7 miles]

Amend Section 1, Page 20 by inserting after the line 13, the following:

"Route 32162 Beginning at point on [Route 32095 about 0.1 of a mile east of its intersection with] Route 32077 near Nashville thence in a southeasterly and northeasterly direction through Grant and Montgomery Townships to a point on [Route 32095 about 0.6 of a mile west of its intersection with] Route 32086 in Indiana County a distance of about [2.05] 2.63 miles

Amend Section 1, Page 21 by inserting after line 11, the following:

"Route 33001 Beginning at [the Armstrong County Line north of the Indiana County Line] a point on Route 33002 west of Porter thence northeast through Porter and Ringgold Townships to Dora thence northeast through Ringgold Township to intersect with Route 33016 in Oliver Township in Jefferson County a distance of about [9.55] 6.51 miles

"Route 33014 Beginning on Route 64 in Roseville thence north through Union and Eldred [and Barnett] townships [by way of Kaletown] to an intersection with Route [248] 33009 at Kaletown in [Barnett] Elderred Township in Jefferson County a distance of about [10.35] 6.76 miles

"Route 33015 Beginning at Hamilton Station thence northward through Hamilton in Perry (Township) and Oliver Townships to Route [357 at a point about 1.5 miles east of Grange] 33016 where it intersects Route 33018 in Jefferson County a distance of about [3.3] 6.45 miles

"[Route 33073 Beginning at a point on Route 63 at McGarey thence in a northwesterly direction through Rose and Clover Townships to a point on Route 33011 at Content in Jefferson County a distance of about 2.7 miles]

"[Route 33080 Beginning at a point on Route 33011 near Ohl School thence northerly through Rose Township to a point on Route 33012 in Jefferson County a distance of about 1.9 miles]

"[Route 33083 Beginning at a point on Route 60-Spur about 0.5 of a mile southeast of the village of Soldier thence in an easterly direction through Winslow Township to a point on Route 338 about 0.1 of a mile north of the borough of Sykesville in Jefferson County a distance of about 1.4 miles]

Amend Section 1, Page 24, by inserting after line 13, the following:

"[Route 40064 Beginning at a point on State Highway Route 361 at Meeker in Lehman Township thence northwesterly through Lehman and Lake Townships intersect-

ing Route 40065 thence northwesterly and westerly through Lake Township to a point where it intersects State Highway Route 177 about .3 of a mile north of Route 369 in Lake Township in Luzerne County a distance of about 3.34 miles]

"Route 40086 Beginning at a point on State Highway Route 361 [at] near Meeker thence northerly to a point on the Lehman-Lake Township Line thence northerly through Lake Township to a point on [the county road] Route 40123 at Outlet School in Luzerne County a distance of about [2] 2.1 miles

"Route 40107 Beginning at a point on Route 177 at Ruggles thence southeasterly in Lake Township to a point on Route [40062] 40063 in Luzerne County a distance of about [0.4 of a mile] 1.2 miles

"Route 40115 Beginning at a point on Route [40064 near Loyalville] 369 about one mile north of Pike's Creek thence northerly and northeasterly through Lake Township [intersecting Route 40063 about 1.0 mile northwest of] by way of Outlet to a point on Route 177 near Lake-ton in Luzerne County a distance of about [3.5] 4.26 miles

"[Route 41127 Beginning at a point on Route 176 about 2.0 miles west of Oval thence northerly and easterly through Limestone and Bastress Townships to a point on Route 331 near Bastress in Lycoming County a distance of about 4.4 miles]

Route 42009 Beginning at a point on the Bradford City Line thence southwest in Bradford Township to [Hazleton Mills] Route 42041 in McKean County a distance of about [5.01 miles] 0.83 of a mile

"[Route 42083 Beginning at a point on State-aid Application 500 about 1.5 miles west of the western Bradford City-Bradford Township Line thence in a southwesterly and southeasterly direction through Bradford Township to a point on Route 42009 about 2.2 miles from the south western terminus of the said route in McKean County a distance of about 0.7 of a mile]

Amend Section 1, Page 29, line 7, by striking out the figure "2" and inserting in lieu thereof the figure "3".

Amend Section 1, Page 30, by inserting after line 14, the following:

"[Route 45069 Beginning at a point on Route 461-E near the Middle Smithfield-Smithfield Township line thence northwesterly through Middle Smithfield Township to a point on Route 167 about 0.3 of a mile southeast of Route 45015 in Monroe County a distance of about 1.5 miles]

"[Route 45071 Beginning at a point on Route 168 about 0.1 of a mile southeast of Route 561 thence northeasterly and northwesterly through Coolbaugh Township to a point on Route 561 about 0.1 of a mile northeast of Route 168 in Monroe County a distance of about 0.2 of a mile]

"Route 45085 Beginning at a point on Route 164 about .9 of a mile east of Broadheadsville thence northeasterly through Chestnut Hill and Hamilton Townships to a point on Route [45021] 164 about [1.2 miles south] one mile north of [Neola] Route 45021 in Monroe County a distance of about [3.4] miles."

Amend Section 1, Page 32, by inserting after line 5, the following:

"Route 49021 Beginning at a point on State Highway Route 336 at Dornisfe thence northeasterly through Little Mahanoy Township [to its intersection with Route 49079] about 2.0 miles thence southeasterly through Little Mahanoy Township to the intersection with State Highway Route 336 at Hunters Station in Northumberland County a distance of about [1.2] 2.6 miles

[Route 49092 Beginning at a point on Route 283 about 1.0 mile west of the intersection of Routes 283 and 49032 thence in a northwesterly and northeasterly direction through Upper Augusta Township to a point on Route 49041 about 1.0 mile northeast of the intersection of Routes 49042 and 49041 in Northumberland County a distance of about 1.5 miles]

Route 49113 Beginning at a point on Route 336 about 0.1 of a mile south of Mahantango Creek thence easterly [through] in Little Mahanoy Township [to the intersection with Route 49013 about 0.2 of a mile southeast of Hunters

Station in] Northumberland County a distance of [about 2.6 miles] .7 of a mile

Amend Section 1, Page 34, by inserting after line 19, Page 33, the following:

[Route 54062 Beginning at a point on Route 25 north of Penns Creek bridge thence in a general northerly direction through Monroe Township to a point on Route 54013 about 0.7 of a mile northeast of Penns Creek in Snyder County a distance of about 1.2 miles]

Route 57049 Beginning at a point on Route 365 Gibson Township approximately .75 of a mile northeast of Gelatt Gibson Township thence easterly through Gibson Township thence northeasterly through Ararat Township [thence southeasterly through Ararat Township] to a point where it intersects Route [57050 near] 57113 northwest of Ararat in Ararat Township in Susquehanna County a distance of about [3.47] 2.6 miles

Route 57079 Beginning at a point on Route 316 Forest Lake Township approximately one mile north of Birchardsville thence in a northeasterly direction through Forest Lake Township [crossing county road and Route 57009] to a point where it intersects Route [57080 approximately .75 of a mile northeast of Forest Lake] 57115 in Susquehanna County a distance of about [3.85] 1.28 miles

[Route 57101 Beginning at a point on Route 57098 about 1.3 miles north of the intersection of Route 57097 thence in a northeasterly and northerly direction through Auburn Township to a point on Route 57006 in Susquehanna County a distance of about 1.9 miles]

Route 57103 Beginning at a point on Route 57014 [about 0.5 of a mile north of] at Lynn thence westerly through Springville Township [crossing Meshoppen Creek thence southerly along Meshoppen Creek] thence northwesterly crossing the Springville-Auburn Township line thence through Auburn Township to a point where it intersects Route 57013 in Susquehanna County a distance of about [4.0] 3.25 miles

Route 57112 Beginning at a point on Route [174 about 1.3 miles southeast of Kingsley] 944 at Oakley thence northeasterly through Harford Township to a point on Route 174-Spur in Susquehanna County a distance of about [1.7] 2.4 miles

Route 57138 Beginning at a point on Route 57080 just east of the Forest Lake Township line thence northeasterly in Bridgewater Township to Route [842 just south of the Silver Lake Township line] 57078 at Fisk Mill in Susquehanna County a distance of about [1.6] 2 miles

Amend Section 1, Page 36, by inserting after line 17, the following:

[Route 61061 Beginning at a point at the intersection of Route 61020 and Route 61021 at Lottsville thence in a northwesterly and northerly direction through Freehold Township to a point on the New York State line in Warren County a distance of about 3.9 miles]

Route 62205 Beginning at a point on the western line of City of Washington thence over Euclid Avenue and [McGovern Street] Griffith Avenue in Canton Cownship to a point on Route 62159 in Washington County a distance of about [0.3] 0.4 of a mile

Amend Section 2, Page 37, line 18, by striking out the figure "02038" and inserting in lieu thereof the figure "02238"

Amend Section 2, Page 38, by inserting after line 4, the following:

Route 02239 Beginning at a point on Route 02097 just south of the Brentwood Borough line thence southerly in Baldwin Township over Willock Road to a point on Route 02099 in Allegheny County a distance of about 1.0 mile

#### Armstrong County

Route 03145 Beginning at a point on Route 03118 at Hillville thence in a general southerly direction along the Allegheny River in Perry and Bradys Bend Townships to a point on Route 214 in Armstrong County a distance of about 5.4 miles

Route 03146 Beginning at a point on Route 03023 near Dickey school thence westerly northerly and easterly in Washington Township to a point on Route 03023 in Armstrong County a distance of about 2.4 miles

Route 03147 Beginning at a point on Route 67 about 1.2 miles southeast of Blanket Hill thence in a northeasterly and northerly direction in Kittanning Township to a point on Route 03091 in Armstrong County a distance of about 3.0 miles

Route 03148 Beginning at a point on Route 189 about one mile east of Stonehouse thence northerly in Valley Township to a point on Route 03069 in Armstrong County a distance of about 2.0 miles

Route 03149 Beginning at a point on Route 03067 about 1.7 miles east of the Kittanning Borough line thence northerly in Reyburn Township to a point on Route 66 in Armstrong County a distance of about 2.1 miles

Route 03150 Beginning at a point on Route 03044 just south of Route 03045 thence westerly in Kiskiminitas Township to a point on Route 03043 in Armstrong County a distance of about 1.0 miles

#### Beaver County

Route 04125 Beginning at a point on Route 445 near Bringo thence westerly in Hopewell and Independence Township to a point on Route 04084 in Beaver County a distance of about 1.8 miles

Amend Section 2, Page 40, by inserting after line 15, the following:

#### Butler County

Route 10137 Beginning at a point on application 3875 at Sabot thence northwesterly through Winfield Township to Route 10031 at Marwood in Butler County a distance of about one mile

Route 10138 Beginning at a point on Route 739 east of Measerville thence southeasterly in Winfield Township to Route 03102 at the Armstrong County line in Butler County a distance of about 0.6 of a mile

Route 10139 Beginning at the intersection of Routes 0024 and 10023 at Clinton thence westerly and northerly in Clinton Township to a point on Route 10131 in Butler County a distance of about 1.7 miles

#### Cambria County

Route 11097 Beginning at a point on Route 11045 west of Carrolltown thence northerly in West Carroll Township to a point on Route 11047 in Cambria County a distance of about 1.1 miles

Amend Section 2, Page 42, by inserting after line 3, the following:

#### Carbon County

Route 13047 Beginning at a point on Route 164 at Harby thence northerly in Franklin Township to a point on Route 13011 in Carbon County a distance of about 0.6 of a mile

#### Centre County

Route 14060 Beginning at a point on Route 14037 east of Philipsburg thence southerly in Rush Township to a point on Application 1286 in Centre County a distance of about of a mile

Route 14061 Beginning at a point on Route 14020 near Linden Hall thence southerly in Harris Township to a point on Route 14018 in Centre County a distance of about of a mile

#### Clarion County

Route 16101 Beginning at a point on Route 16050 south of Fryburg thence northerly in Washington Township to a point on the Clarion-Forest County line in Clarion County a distance of about 3.0 miles

Route 16102 Beginning at a point on Route 248 north of Tylersburg thence northwesterly in Farmington and Washington Townships to a point on Route 92 at New-anville in Clarion County a distance of about 3.1 miles

Route 16103 Beginning at a point on Route 218 just east of Elk City thence southeasterly and southerly in Elk and Beaver Townships to a road intersection in Clarion County a distance of about 3.5 miles

Route 16104 Beginning at a point on Route 16009 east of Kingsville thence southeasterly in Limestone Township to a road intersection in Clarion County a distance of about 2.1 miles

Route 16105 Beginning at a point on Route 553 west of New Bethlehem thence westerly in Porter Township Clarion County a distance of .8 of a mile

Route 16106 Beginning at a point on Route 16057 at Wolfs Corners thence northwesterly in Washington Township to a point on the Forest County line in Clarion County a distance of about 1.4 miles

#### Clearfield County

Route 17131 Beginning at a point on Route 234 just north of Coalport Borough thence in a general easterly direction in Beccaria Township to a point on Route 17033 near Utahville in Clearfield County a distance of about 3.8 miles

Route 17132 Beginning at the intersection of Route 17033 and Route 17034 in Utahville thence southwesterly in Beccaria Township Clearfield County a distance of one mile

Route 17133 Beginning at a point on Route 17049 in Coal Run thence westerly in Decatur and Woodward Townships to a point on Route 17047 in Clearfield County a distance of about 3.4 miles

Route 17134 Beginning at a point on Route 17051 north of its intersection with Route 17117 thence westerly and southerly in Lawrence Township to a point on Route 17117 Clearfield County a distance of about .5 of a mile

Route 17135 Beginning at a point on Route 234 near Sterling thence northerly in Woodward Township to a point on the south line of Brisbin Borough in Clearfield County a distance of about .2 of a mile

Route 17136 Beginning at a point on Route 17056 north of Osceola Mills Borough thence southerly in Decatur Township to a point on the Decatur Township-Osceola Mills Borough line at Curtain Street beginning again on the Decatur Township-Osceola Mills Borough line at Coal Street thence southerly in Decatur Township to a point on Route 234 in Clearfield County a distance of .75 of a mile

#### Clinton County

Route 18046 Beginning at a point on Route 18006 just south of Tylersville thence northeasterly in Logan Township to a point on Route 18027 near Greenburr Clinton County a distance of about 4.0 miles

Amend Section 2, Page 47, by inserting after line 19, Page 46, the following:

#### Cumberland County

Route 21096 Beginning at a point on Route 21051 just west of its intersection with Route 30 thence northwesterly and westerly in East Pennsboro Township in Cumberland County a distance of 1 mile

Route 21097 Beginning at a point on Route 507 just west of the Mechanicsburg Borough line thence easterly in Monroe Township to a point on the Mechanicsburg Borough line in Cumberland County a distance of about .05 of a mile

Amend Section 2, Page 48, by inserting after line 5, the following:

#### Fayette County

Route 26177 Beginning at a point on Route 26057 at Emme thence southerly in Springhill Township to the West Virginia State line in Fayette County a distance of about 2.7 miles

Amend Section 2, Page 48, by inserting after line 15, the following:

#### Greene County

Route 30094 Beginning at a point on Route 109 about 1.5 miles southeast of Ninevah thence northeasterly in Morris Township a distance of about 1.6 miles to a road intersection thence easterly to a point on Route 30011 about 1.5 miles southeast of Deerlick in Greene County a distance of about 2.7 miles

#### Huntingdon County

Route 31106 Beginning at a point on Route 31069 near Huntingdon Furnace thence southerly in Franklin Township to a point on Route 346 near Colerain Forge in Huntingdon County a distance of about 2.0 miles

Amend Section 2, Page 50, by inserting after line 14, the following:

Route 32178 Beginning at a point on Route 32052 about one mile north of Penn Run thence northwesterly in Cherryhill Township to the Methodist Church in Indiana County a distance of about 1.3 miles

#### Jefferson County

Route 33091 Beginning at a point on Route 33029 just south of Route 33033 thence northerly in Winslow and Washington Townships to a road intersection in Jefferson County a distance of about 1.7 miles

Route 33092 Beginning at a point on Route 33038 south of its intersection with Route 33064 thence northeasterly in Washington Township to a point on Route 33044 near the Baltimore and Ohio Railroad crossing in Jefferson County a distance of about 3.0 miles.

Route 33093 Beginning at a point on Route 33002 near Porter thence easterly in Porter and Perry Townships to a point on Route 33055 west of Hamilton in Jefferson County a distance of about 4.9 miles

Amend Section 2, Page 52, by inserting after line 6 the following:

#### Lackawanna County

Route 35068 Beginning at a point on Route 533 at Justus Corners thence northerly in Scott Township to a point on Route 35034 west of Green Grove in Lackawanna County a distance of 1.9 miles

Amend Section 2, Page 53, by inserting after line 3, the following:

#### Lawrence County

Route 37083 Beginning at a point on Route 350 east of Concrete Bridge in Wurttemberg thence northerly in Perry Township to Slippery Rock Creek thence in Wayne Township approximately paralleling Slippery Rock Creek to the entrance of the Salvation Army camp in Lawrence County a distance of about 1.8 miles

#### Lehigh County

Route 39120 Beginning at a point on Route 39057 at the Heidelberg-Washington Township line thence northeasterly in Washington Township to a point on Route 39054 about .75 of a mile southeast of Peters store in Lehigh County a distance of about 1.7 miles

#### Luzerne County

Route 40128 Beginning at a point on Route 177 just north of Route 369 thence easterly in Lake Township to a point on Route 40115 south of Loyalville in Luzerne County a distance of about 0.9 of a mile

Route 40129 Beginning at a point on Route 40123 near its intersection with Route 40086 thence northerly in Lake Township to a point on Route 40063 in Luzerne County a distance of about .2 of a mile

Route 40133 Beginning at a point on Route 40046 at Ridgewood thence easterly in Plains Township to a point on Route 515 in Luzerne County a distance of about 0.9 of a mile

#### Lycoming County

Route 41146 Beginning at a point on Route 41117 about 0.9 of a mile south of Route 41015 thence southwesterly through Armstrong Township to the property of Williamsport Municipal Water Authority in Lycoming County a distance of about 0.8 miles

Route 41147 Beginning at a point on Route 41026 about 0.8 of a mile north of Route 23 thence northwesterly through Woodward Township to a point on Route 41025 in Lycoming County a distance of about 1.20 miles

Route 41148 Beginning at a point on the northern boundary of the City of Williamsport near the northeastern corner thence northwesterly through Loyalsock Township to a point on Route 41093 in Lycoming County a distance of about 2.3 miles

Route 41149 Beginning at a point on Route 41061 about 0.2 of a mile south of Route 355 thence easterly through Muncy Township to a point on Route 41066 in Lycoming County a distance of about 1.5 miles

#### McKean County

Route 42047 Beginning at a point on Route 42006 at Backus thence southerly and southwesterly in Keating and Hamlin Townships to a point on Route 42005 in McKean County a distance of about 4.75 miles

Amend Section 2, Page 57, by inserting after line 20, Page 56, the following:

#### Monroe County

Route 45089 Beginning at a point on Route 168 in the village of Tobyhanna thence northwesterly in Coolbaugh Township to a point on Route 45036 in Monroe County a distance of about 1.5 miles

Amend Section 2, Page 58, by inserting after line 19, Page 57, the following:

#### Northampton County

Route 48101 Beginning at a point on Route 48088 near the Bushkill-Plainfield Township line thence easterly in Bushkill and Plainfield Township to a point on the west line of Wind Gap Borough in Northampton County a distance of about .7 of a mile

#### Northumberland County

Route 49125 Beginning at a point on Route 49031 north of Route 161 thence easterly in Upper Augusta Township to a point on Route 49032 in Northumberland County a distance of about 2.9 miles

Route 49126 Beginning at a point on Route 635 east of Route 49059 thence northerly and easterly in Turbot Township to a point on Route 49094 in Northumberland County a distance of about 1.7 miles

#### Perry County

Route 50052 Beginning at a point on Route 305 about 0.1 of a mile north of Big Buffalo Creek thence southwesterly in Juniata Township to a road intersection in Perry County a distance of about 0.2 of a mile

Amend Section 2, Page 59, by inserting after line 10, the following:

Route 53118 Beginning at a point on Route 161 just east of the Girardville Borough line thence northwesterly in Butler Township to a point on the Girardville Borough line in Schuylkill County a distance of about 0.1 of a mile

#### Snyder County

Route 54071 Beginning at a point on Route 54014 about one mile south of Verdilla thence southeasterly in Union Township to a point on Route 54018 in Snyder County a distance of about 1.6 miles

#### Susquehanna County

Route 57152 Beginning at a point on Route 227 east of Burnwood thence northerly and easterly in Ararat Township to a point on Route 296 about one mile south of Route 57051 in Susquehanna County a distance of about 1.8 miles

Route 57153 Beginning at a point on Route 371 just north of Comfort Lake thence northerly in Harmony Township to a point on Route 296 near Stevens Point in Susquehanna County a distance of about 3.1 miles

Route 57154 Beginning at a point on Route 57029 about one mile north of the Lenox-Harford Township line thence easterly and northeasterly in Harford and Gibson Townships to a point on Route 57046 about three miles south of Gibson in Susquehanna County a distance of about 3.1 miles

Amend Section 2, Page 61, by inserting after line 8, the following:

#### Venango County

Route 60077 Beginning at a point on Route 207 near McCune thence southeasterly in Canal and Sugar Creek Townships to a point on Route 90 near Sugar Creek in Venango County a distance of about 6.9 miles

#### Warren County

Route 61069 Beginning at a point on Route 61038 about

of a mile east of Route 94 thence northeasterly in Grove and Elk Townships to a point on Route 61039 north of Germany in Warren County a distance of about 6.3 miles  
Route 61070 Beginning at a point on Route 61020 near Wrightsville thence easterly in Freehold Township to a point on Route 61022 in Warren County a distance of about 4 miles

Route 61071 Beginning at a point on Route 61020 about 2 miles north of Wrightsville thence northeasterly in Freehold Township to a township road in Warren County a distance of about 2.8 miles

#### York County

Route 66206 Beginning at a point on Route 66001 about one-half mile west of the Monaghan-Fairview Township line thence northerly and easterly in Monaghan Township and northerly in Fairview Township to a point on the York-Cumberland County line in York County a distance of about 1.75 miles

On the question,

Will the House concur in the amendments made by the Senate.

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Cleidenberg,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Cralympie,	Jim,	Penglase,	Wagner,
Crelong,	Johnson,	Pentrack,	Wargo,
Cennison,	Jones, G. E.,	Pets,	Wescott,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Wells,
Dye,	Kemp,	Posta,	Welsh,
Eder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Ewans,	Kline,	Price, R. A.,	Williams,
Evling,	Kohl,	Probert,	Wood,
Elton,	Kolankiewics,	Readinger,	Worley,
Erster,	Kondrath,	Reagan,	Yaffe,
Flo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yetzer,
Fack,	Lederer,	Relly, J. M.,	Yester,
Feming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
For,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 552.

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements or abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows.

Amend Section 2, page 5, by inserting after line 4 the following "Beginning at a point on the northern line of Williamsport at Chestnut Street thence southerly over Chestnut Street to four mile drive in the city of Williamsport Lycoming County a distance of about 0.06 of a mile."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,

Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 557.

An Act providing for the compensation of the mayor, council and appointed officers in cities of the second class A.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, lines 3 and 4, by striking out the following "less than seven thousand dollars (\$7,000) nor"; and by striking out on line 4 after the word "than" the word "twelve" and inserting in lieu thereof the word "seven".

Amend Section 1, page 2, line 1, by inserting before the word "dollars" the words "five hundred"; by striking out on line 1 the figures "(\$12,000)"; line 2, by striking out after the word "not" the words "less than five thousand dollars (\$5,000) nor"; line 3, by striking out after the word "than" the word "six" and inserting in lieu thereof the word "four"; line 3, after the word "dollars" the figures in brackets "(\$6,000)"; line 4, by striking out after the word "not" the words "less than five thousand dollars (\$5,000) nor"; line 5, by striking out after the word "than" the word "seven" and inserting in lieu thereof the word "four"; line 6, by striking out the figures in brackets "(\$7,500)" and the word "all"; line 7, by striking out after

the word "exceed" the word "seven" and inserting in lieu thereof the word "five" and striking out the figures in brackets "(\$7,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembockl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 656.

An Act to further amend subsection (b) of section nine

hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by changing the total maximum height of vehicles and loads

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment. The Clerk read the amendment as follows:

Amend Section 1, page 4, line 15, by striking out after the word "vehicles" the words "wholly upon its own structure".

On the question,

Will the House concur in the amendment made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendment made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafa,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tabl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weldner,

Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewica,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Riley, R. L.,	Young,
Floyd,	Lelsey,	Reynolds,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 657.

An Act to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled as amended "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities towns townships and boroughs within this Commonwealth" by providing for the distribution of certain accumulations in the Fire Insurance Tax Fund to cities towns townships and boroughs for payment to firemen's relief pension and retirement funds

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 5, line 17, by inserting after the word "forty-eight" the words "and in the same ratio as regular annual payments were made in that year"; page 6, line 5, by inserting after the word "year" the following "and in the same ratio as regular annual payments were made in that year".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafa,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,

Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	<b>Speaker</b>

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1031.

An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and possessing with intent to sell of adulterated or deleterious ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard including sherbet frozen ice confections frozen sherbet confections frozen dairy confections ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing for licensing conferring powers and imposing duties upon the Department of Agriculture prescribing penalties and providing for the enforcement thereof

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 5, page 14, line 14, by striking out after the word "to" the word "provent" and inserting in lieu thereof the word "prevent".

Amend Section 8, page 16, line 5, by striking out after the figure "8" the following "The Department of Agriculture is authorized to adopt and promulgate such rules and regulations including definitions and standards which are not inconsistent with the definitions and standards herein as are necessary for the proper enforcement of the provisions of this act";

Amend Section 9, page 16, line 17, by striking out after the word "act" the words "or any rule or regulation".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	<b>Speaker</b>

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having vote in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

# HOUSE BILL No. 1232.

An Act to further amend section six hundred ten of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the issuance of certain permits for excessive size and weight

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, lines 7 and 8, by striking out after the word "for" the following: "a period of eight (8) weeks" and inserting in lieu thereof "the period"; line 9, by striking out after the word "of" the following: "August" and inserting in lieu thereof "November".

Amend Section 1, page 5, lines 12 and 13, by striking out after the word "for" the following: "a period of eight (8) weeks" and inserting in lieu thereof the following "the period"; line 14, by striking out after the word "of" the following: "August" and inserting in lieu thereof "November both inclusive"; line 15, by inserting after the word "equipment" the following: "during the daylight hours".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glenbockl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarneri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,

Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenen,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Proper,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krisie.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

### RECALLING SENATE BILL NO. 391

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 26, 1949.

Resolved, (if the House of Representatives concur), That Senate Bill No. 391, Printer's No. 226, entitled "An act reappropriating the unexpended balance appropriated by section two of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 953), entitled 'An act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. six hundred thirty-five), entitled "An act creating a commission to study the methods of maintaining and supporting public schools and the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient public school system, prescribing its powers and duties, and making an appropriation," continuing such commission, changing its purpose, and making an appropriation," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## RECESS

The SPEAKER. If there is no objection, the Chair will declare a short recess. The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 556.

An Act relating to property owned by cities of the second class A authorizing special funds for its maintenance and authorizing council to insure against liability arising out of the ownership or control of such property

With the information that the Senate has passed the same without amendment.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 178.

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems.

## HOUSE BILL No. 234.

An Act to add a new section to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the use of the highways to vehicles in which television sets are installed

## HOUSE BILL No. 238.

An Act to further amend section one of the act ap-

proved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" by including Catholic War Veterans Inc among the veterans' organization entitled to the printing of convention reports

## HOUSE BILL No. 239.

An Act to further amend section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including Catholic War Veterans Inc among the organizations exempt from payment of registration fees of vehicles used by such organization

## HOUSE BILL No. 517.

An Act to further amend clause (3) of section thirteen of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "An act creating and establishing a fund for the care maintenance, and relief of aged, retired, and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," by cancelling age requirement and changing length of service necessary to receive a pension.

## HOUSE BILL No. 549.

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system

## HOUSE BILL No. 550.

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

## HOUSE BILL No. 551.

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-nine (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

## HOUSE BILL No. 552.

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined width of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements or abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes.

## HOUSE BILL No. 556.

An Act relating to property owned by cities of the second class A authorizing special funds for its maintenance and authorizing council to insure against liability arising out of the ownership or control of such property

## HOUSE BILL No. 557.

An Act providing for the compensation of the mayor council and appointed officers in cities of the second class A

## HOUSE BILL No. 656.

An Act to further amend subsection (b) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates Aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages

caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by changing the total maximum height of vehicles and loads

## HOUSE BILL No. 657.

An Act to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled as amended "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities towns townships and boroughs within this Commonwealth" by providing for the distribution of certain accumulations in the Fire Insurance Tax Fund to cities towns townships and boroughs for payment to firemen's relief pension and retirement funds

## HOUSE BILL No. 869.

An Act to further amend section three hundred twenty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by permitting certain county employees of county correctional institutions in counties of the second class to be credited for previous service

## HOUSE BILL No. 1031.

An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and possessing with intent to sell of adulterated or deleterious ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard including sherbet frozen ice confections frozen sherbet confections frozen dairy confections ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing for licensing conferring powers and imposing duties upon the Department of Agriculture prescribing penalties and providing for the enforcement thereof

## HOUSE BILL No. 1166.

An Act establishing a Retirement system for fish warden employed by the board of fish commissioners providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by fish wardens employed by the Board of Fish Commissioners and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances against returns benefits and rights from taxation and judicial processes making an appropriation and providing penalties

## HOUSE BILL No. 1232.

An Act to further amend section six hundred ten of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licens-

ing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the issuance of certain permits for excessive size and weight

#### HOUSE BILL No. 1325.

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-nine

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### MEETING OF PHILADELPHIA MEMBERS

The SPEAKER. The gentleman from Philadelphia, Mr. Scanlon, desires to call a brief meeting of the Philadelphia Members in the old House Caucus Room immediately.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 248, as follows:

An Act providing for the payment into the court of certain moneys involved in disputes between the Commonwealth of Pennsylvania and any county officer acting as agent of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When a dispute arises between the Commonwealth of Pennsylvania and any county officer acting as agent of the Commonwealth for the collection of moneys involving the possession or the right of possession to such funds or any part thereof it shall be the duty of the county officer acting as agent to pay the same into the court of common pleas of the county wherein the county officer holds office

Section 2 The Commonwealth or the county officer acting as agent of the Commonwealth may petition the court of common pleas setting forth the dispute and praying for leave to deposit or to have the moneys deposited in court whereupon the court shall designate a depository for such funds The funds shall be held by the said depository until written notice is given by the Commonwealth and the county officer acting as agent for the Commonwealth that the dispute is ended whereupon the depository shall release the funds in accordance with the terms of the notice

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altschuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraff,
Baumunk,	Glenbockl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnar,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Relly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Lelsey,	Riley, R. L.,	Young,
Fox,	Leonard,	Robbins,	Ziegler,
Frank,	Limper,	Robertson,	Sorg,
			Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 266, as follows:

An Act to further amend section two of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modi-

tying existing legislation which provided for raising revenue for State purposes" by further regulating the returns of taxable property and the payment of taxes by certain taxpayers under the provisions of said act. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the seventh day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 891) is hereby further amended to read as follows

Section 2 That the board of revision of taxes or the commissioners of every county in this Commonwealth shall annually furnish the assessors of the several townships, boroughs and cities of the respective counties with blanks to be prepared by them and it shall be the duty of each of said assessors to furnish a copy of the same to every taxable person copartnership unincorporated association joint-stock association and company limited partnership and corporation in his respective ward district borough or township or to any officer agent or employee found at the place of business of any such limited partnership or corporation in his ward district borough or township upon which blank each taxable person copartnership unincorporated association company limited partnership joint-stock association and corporation shall respectively make return annually of the aggregate amount of all the different classes of personal property made taxable by the first section of this act held owned or possessed by said person copartnership unincorporated association company limited partnership joint-stock association or corporation either in his her or its own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company limited partnership joint-stock association or corporation which return shall be made and certified to by such taxable person and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof. Provided That any corporation joint-stock association or limited partnership doing business in more than one county shall be liable to make such return only in the county in which its principal office within this Commonwealth is situated except where two or more banks or banking institutions or trust companies shall have been consolidated a report as to all trust funds taxable under this act held by any of the said individual companies prior to the consolidation shall be made and the tax paid in the county wherein such individual company was located prior to the consolidation. And provided further That whenever any personal property taxable under the provisions of this act was owned by a decedent at the time of his death and is held by his executor or administrator return of such personal property shall be made and the tax paid in the county wherein such decedent was domiciled at the time of his death notwithstanding the residence or location of such executor or administrator or of any beneficiary or the place where such securities are kept. And provided further That whenever any personal property taxable under the provisions of this act is held owned or possessed as trustee agent attorney-in-fact or in any other manner as hereinabove set forth by two or more persons copartnerships unincorporated associations companies limited partnerships joint-stock associations or corporations all of which are residents of the Commonwealth but not all of which are domiciled in the same county return of such personal property shall be made in each county of this Common-

wealth where any of the same are domiciled and there shall be paid in each such county that portion of the tax imposed upon such personal property so held owned or possessed as the number of such trustees agents or attorneys-in-fact domiciled therein bears to the total number thereof notwithstanding the residence of any beneficiary or the place where such personal property is kept

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altschuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, O. M.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. M.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfafl,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Westcott,
Elder,	Kent,	Posters,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILL PASSED OVER

There being no objection

Senate Bill No. 286, Printer's No. 737  
was passed over at the request of Mr. MORAN.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 294, as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight and of carrying out the provisions of existing laws relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred thousand dollars (\$300,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for expenditure by said department in McKean Potter and Tioga counties for the purpose of flood control and stream channel work made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight and to carry into effect the provisions of existing laws relating thereto

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weldner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,

Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 296, as follows:

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by clarifying the powers and duties of the institution districts and other public agencies furnishing assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" is hereby amended to read as follows

Section 402 Care of Persons Referred by Department of Public Assistance The local authorities shall have

power to care for any dependent or other indigent person in the county or city who is referred to them by the Department of Public Assistance or by a local board under its supervision pending the determination of such person's legal settlement

Where institutions operated by the local authorities of any institution district provide care for the physically infirm or chronically ill such local authorities shall require payment in any amount not to exceed the annual per capita operating and maintenance costs (exclusive of such items as capital expenditures depreciation and interest on indebtedness for capital expenditures) of such care from those persons who are able to pay or who receive assistance or other moneys from public or private agencies Provided That the facilities and their operation are in conformity with minimum recognized requirements prescribed in the standards rules and regulations of the Department of Welfare for safeguarding health safety and comfort The placing of any person in such institution shall not be deemed cause for stopping or reducing the amount of assistance payable to him from any public agency

Where no such institution is maintained or operated by the local authorities of any institution district and the authorities place such person in a proper institution not operated by it where he receives care and maintenance the local authorities and the public agency from whom such infirm or ill person was receiving assistance may share the cost of institutionalizing such person in such a manner that the said public agency would pay monthly an amount equal to the sum paid monthly by such agency to said infirm or ill person prior to his or her entry into the institution

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

- |                |                |               |               |
|----------------|----------------|---------------|---------------|
| Altshuler,     | Frost,         | Loftus,       | Rose,         |
| Amarando,      | Gaffney,       | Lovett,       | Rosen,        |
| Andrews,       | Gallagher,     | Madigan,      | Rovasek,      |
| Bane,          | George,        | McCormack,    | Royer,        |
| Barkdoll,      | Gibson,        | McCullough,   | Sarraf,       |
| Baumunk,       | Glembockl,     | McGee,        | Sax,          |
| Beaver,        | Good,          | McKinney,     | Scanlon,      |
| Bednarek,      | Goodling,      | McMillen,     | Schmidt,      |
| Blair,         | Graybill,      | McNally,      | Schuster,     |
| Bloom,         | Green,         | Mihm,         | Scott,        |
| Boles,         | Greenwood,     | Mikula,       | Seyler,       |
| Bomberger,     | Greer,         | Miller,       | Shoemaker,    |
| Boorse,        | Guarnieri,     | Milliken,     | Smith, C. C., |
| Bower,         | Guthrie,       | Mills,        | Smith, W. B., |
| Brandon,       | Hagerty,       | Mintess,      | Snider,       |
| Brelsach,      | Hall,          | Monroe,       | Sollenberger, |
| Breth,         | Hamilton,      | Moore, C. E., | Spencer,      |
| Brice,         | Harney,        | Moore, H. A., | Stank,        |
| Brown, H. S.,  | Harris,        | Moran,        | Sternberg,    |
| Brown, Wm. E., | Haudenschild,  | Munley,       | Stimmel,      |
| Brunner,       | Heatherington, | Murray,       | Stuart,       |
| Buchlin,       | Helm,          | Musto,        | Swope,        |
| Cadwalader,    | Herman,        | Nagel,        | Tahl,         |
| Clapper,       | Hersch,        | Najaka,       | Taylor,       |
| Clendening,    | Hewitt,        | Needham,      | Thompson,     |
| Cochran,       | Hocker,        | Neff,         | Tompkins,     |
| Cole,          | Hoffman,       | Nixon,        | Toomey,       |
| Coleman,       | Hoggard,       | O'Dare,       | Varallo,      |
| Conway,        | Hunter,        | O'Donnell,    | Varnier,      |
| Cooper,        | Jenkins,       | Olsen,        | Verona,       |
| Costa,         | Jennings,      | Orban,        | Wachhaus,     |
| Dalrymple,     | Jim,           | Penglase,     | Wagner,       |
| DeLong,        | Johnson,       | Pentrack,     | Wargo,        |
| Dennison,      | Jones, G. E.,  | Peta,         | Waterhouse,   |
| Depuy,         | Jones, J. M.,  | Petrosky,     | Watkins,      |
| Dougherty,     | Jump,          | Pettigrew,    | Weldner,      |
| Driscoll,      | Kamyk,         | Pfaff,        | Weiss,        |
| Duffy,         | Keller,        | Polen,        | Welsh,        |

- |            |               |                    |           |
|------------|---------------|--------------------|-----------|
| Dye,       | Kemp,         | Posta,             | Wescott,  |
| Elder,     | Kent,         | Powers,            | Westrick, |
| Erb,       | Kirley,       | Price, H. W., Jr., | Wheeler,  |
| Evans,     | Kline,        | Price, R. A.,      | Williams, |
| Ewing,     | Kohl,         | Probert,           | Wood,     |
| Felton,    | Kolankiewicz, | Readinger,         | Worley,   |
| Ferster,   | Kondrath,     | Reagan,            | Yaffe,    |
| Filo,      | Kratz,        | Reese,             | Yeakel,   |
| Firmstone, | Kurtz,        | Reidenbach,        | Yester,   |
| Flack,     | Lederer,      | Reilly, J. M.,     | Yetzer,   |
| Fleming,   | Lee,          | Reynolds,          | Young,    |
| Floyd,     | Lelsey,       | Riley, R. L.,      | Ziegler,  |
| Frank,     | Leonard,      | Robbins,           | Sorg,     |
|            | Limper,       | Robertson,         | Speaker   |

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 324, as follows:

An Act to amend the act approved the sixth day of May one thousand nine hundred nine (P. L. 433) entitled "An act fixing the salary of the reporter of the decisions of the Supreme Court of Pennsylvania and of his assistant" by increasing the salaries provided by the act The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the sixth day of May one thousand nine hundred nine (P. L. 433) entitled "An act fixing the salary of the reporter of the decisions of the Supreme Court of Pennsylvania and of his assistants" is hereby amended to read as follows

Section 1 Be it enacted &c That [from and after the twenty-first day of March Anno Domini one thousand nine hundred and ten] the salary of the reporter of the decisions of the Supreme Court shall be [five thousand] seven thousand five hundred dollars per annum

Section 2 [From and after the twenty-first day of March Anno Domini one thousand nine hundred and ten] The salary of the assistant to the reporter of the decisions of the Supreme Court shall be [three thousand] six thousand dollars per annum

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-nine

On the question,  
Will the House agree to the bill on third reading?  
It was agreed to.  
On the question,  
Shall the bill pass finally?

Mr. REAGAN. Mr. Speaker, with regard to this bill, I don't know the offices affected, and therefore I cannot say as to the amount of work they do. However, in the olden days, we used to have prophets, both major and minor. This morning we seem to have disposed of major prophets and here we come to take care of the minor prophets, but strangely enough the increases really correspond to the increases which we have given to the major prophets. In the first case we raised the salary from five thousand dollars to seven thousand five hundred dollars, which is a fifty per cent increase, and the assistant reporter's salary from three thousand dollars to six thousand dollars, which is one hundred per cent.

I remember when I went to school I had to learn a

piece and to recite it. I was coached very carefully as to the inflections I should use with my voice and gestures, to enhance the value of the speech, and it ran like this: "A mighty hand from an inexhaustible urn pours forth a never ending flood."

You know gentlemen, it seems to me that we ought to turn off the spigot at this point.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—70

Althuler,	Ewing,	Mikula,	Snider,
Amarando,	Flack,	Mintess,	Spencer,
Andrews,	Fleming,	Moore, C. E.,	Stimmel,
Bane,	Frost,	Najaka,	Stuart,
Baumunk,	Gibson,	O'Dare,	Thompson,
Bednarek,	Greer,	O'Donnell,	Tompkins,
Blair,	Heatherington,	Orban,	Wachhaus,
Bloom,	Hoffman,	Price, H. W., Jr.,	Watkins,
Bomberger,	Johnson,	Propert,	Westrick,
Breisch,	Kamyk,	Reese,	Wheeler,
Brown, H. S.,	Kent,	Reidenbach,	Williams,
Brunner,	Kohl,	Robbins,	Wood,
Cadwalader,	Lee,	Rovanssek,	Worley,
Cole,	Leisey,	Royer,	Yeakel,
Coleman,	Leonard,	Sarra,	Yester,
Cooper,	McCormack,	Scott,	Yetzer,
Dye,	McKinney,	Smith, C. C.,	Sorg,
Evans,	Mihm,		Speaker

## NAYS—75

Beaver,	Glembocki,	Lovett,	Riley, R. L.,
Bower,	Good,	Madigan,	Robertson,
Breth,	Graybill,	McCullough,	Sax,
Bucchin,	Green,	McMillen,	Schmidt,
Clapper,	Hamilton,	Miller,	Schuster,
Clendening,	Helm,	Milliken,	Seyler,
DeLong,	Herman,	Moran,	Shoemaker,
Dennison,	Hewitt,	Munley,	Smith, W. B.,
Driscoll,	Hocker,	Murray,	Sollenberger,
Erb,	Hunter,	Musto,	Swope,
Felton,	Jenkins,	Nagel,	Tahl,
Ferster,	Jennings,	Needham,	Varner,
Filo,	Jim,	Neff,	Wagner,
Firmstone,	Jones, J. M.,	Nixon,	Wargo,
Fox,	Jump,	Petrosky,	Weidner,
Frank,	Keller,	Polen,	Weiss,
Gaffney,	Kondrath,	Posta,	Yaffe,
Gallagher,	Kratz,	Reagan,	Young,
George,	Kurtz,	Reilly, J. M.,	

## NOT VOTING—63

Barkdoll,	Greenwood,	Lederer,	Readinger,
Boles,	Guarnieri,	Limper,	Reynolds,
Boorse,	Guthrie,	Loftus,	Rose,
Brandon,	Hagerty,	McGee,	Rosen,
Brice,	Hall,	McNally,	Scanlon,
Brown, W. E.,	Harney,	Mills,	Stank,
Cochran,	Harris,	Monroe,	Sternberg,
Conway,	Haudenschild,	Moore, H. A.,	Taylor,
Costa,	Hersch,	Olsen,	Toomey,
Dalrymple,	Hoggard,	Penglase,	Varallo,
Depuy,	Jones, G. E.,	Pentrack,	Verona,
Dougherty,	Kemp,	Peta,	Waterhouse,
Duffy,	Kirley,	Pettigrew,	Welsh,
Elder,	Kline,	Pfaff,	Wescott,
Floyd,	Kolankiewicz,	Powers,	Ziegler,
Goodling,	Krise,	Price, R. A.,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

## RESOLUTION

## THANKING ASSOCIATION OF PENNSYLVANIA CONSTRUCTORS

Mr. BRUNNER offered a resolution and asked and

obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 28, 1949.

Through the generosity of Mr. A. E. O'Brien, acting on behalf of the Association of Pennsylvania Constructors, the Members of the House of Representatives were invited and furnished with tickets to attend the Shrine Circus last evening.

The event had been looked forward to with great anticipation of a most enjoyable evening of entertainment and relaxation, at a performance known for its outstanding excellence.

It was with deep regret that the Members of the House accepted the realization that their duties as Representatives of the People of Pennsylvania could not be neglected for even so tempting a diversion; therefore be it

Resolved, That the House of Representatives hereby express its appreciation of the kindness of Mr. A. E. O'Brien and the Association of Pennsylvania Constructors in inviting them to be their guests at the Shrine Circus, and their regret at having been prevented by their duties from accepting, as well as to assure Mr. O'Brien and the Association that, had it been at all possible, there would not have been a vacant seat in the section reserved for our use; and be it further

Resolved, That the Chief Clerk of the House transmit a certified copy of this resolution to Mr. A. E. O'Brien.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 352, as follows:

An Act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The head of the department having charge of or supervision over the fire department or bureau of each city of the second class A shall divide the office and members of companies of the uniformed fire force in the employ of such cities excepting the superintendent into two shifts bodies or platoons one to perform day service and the other to perform night service. The hours of day service shall not exceed ten commencing at eight o'clock in the morning the hours of night service shall not exceed fourteen commencing at six o'clock in the afternoon. The hours of day service shall not exceed fifteen hours in any one calendar week and the hours of night service shall not exceed seventy hours in any one calendar week unless the hours of day and night service shall be equalized in which case neither the hours of day or night service shall exceed sixty in any one calendar week. In cases of riot serious conflagration or other such emergency the superintendent of the bureau of fire or his first assistant or the chief officer in charge at any fire shall have the power to assign all the members of the fire force to continuous duty or to continue any member thereof on duty if necessary. No member of either of said shifts bodies or platoons shall be required to perform continuous day service or continuous night service for a longer consecutive period than two weeks nor be kept on duty continuously longer than ten hours in the day shift body or platoon or fourteen hours in the night shift body or platoon excepting as may be necessary to equalize the hours of duty and service and also excepting in cases of riot serious conflagration or other such emergency as above provided

Section 2 Nothing contained in this act shall be construed to repeal the act approved the eighteenth day of June one thousand nine hundred forty-one (P. L. 13) entitled "An act requiring cities of the second class

ving fire departments to allow members of said fire departments twenty-four consecutive hours of rest each week and fourteen days vacation with pay each year except in emergency cases"

Section 3 The act approved the thirtieth day of March one thousand nine hundred fifteen (P. L. 34) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" its amendments and supplements is hereby repealed in so far as it applies to cities of the second class A

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 4 The provisions of this act shall become effective on the first day of February one thousand nine hundred fifty

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Bardoll,	Gibson,	McCullough,	Sarraff,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Borse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudensfield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
	Leisey,	Riley, R. L.,	
	Leonard,	Robbins,	
	Limper,	Robertson,	

Speaker

## NAYS—0

## NOT VOTING—1

See,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 358, as follows:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr Republic School in Mercer County Pennsylvania  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars (\$50,000) is hereby specifically appropriated to the Trustees of the George Jr Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr Republic School in Mercer County Pennsylvania

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Bardoll,	Gibson,	McCullough,	Sarraff,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Borse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudensfield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,

Floyd,  
Fox,  
Frank,

Lelsey,  
Leonard,  
Limper,

Riley, R. L.,  
Robbins,  
Robertson,

Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 367, as follows:

An Act to further amend sections four three hundred one the first paragraph of section four hundred two five hundred one five hundred two and six hundred one point one of and to amend section seven hundred two of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by changing and adding certain definitions further regulating eligibility for compensation providing for modification of the manner in which employer contribution rates are determined and under certain conditions for the payment by employers of the costs of appeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (k) (y) and (z) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the acts approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) and the tenth day of June one thousand nine hundred forty-seven (P. L. 498) are hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

\* \* \* \* \*

[(k) "Employer's Experience" means a percentage obtained by dividing the "Wages of a Compensated Employee"

as defined in sub-section (y) of this section paid by employer to all of his compensated employees during the first twelve (12) of the last fourteen (14) completed calendar quarters immediately preceding the calendar year which includes the calendar quarter to which the contribution rate is applicable less any credit for reemployment with respect to benefit years ending prior to the first day of June one thousand nine hundred and forty-five which was credited to the employer during such two (12) calendar quarters by the total wages paid by the employer to all his employees during such twelve (12) calendar quarters Credit for reemployment previously allocated to a calendar year shall deemed to have been allocated as of the last two calendar quarters of such calendar year]

(k) "Employer's Reserve Account" means the separate account established and maintained by the department in each employer in the manner provided in section three hundred two hereof including any balance of the reserve account of any other employer whose reserve account may have been transferred to such employer

(y) "Wages of a compensated employee" [with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means the wages which were paid to the compensated employee by an employer of such employee in the base year immediately preceding the employee's benefit year and which wages shall be treated as though they had been paid in the calendar quarter in which the first compensation of the employee's benefit year was paid and with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five means the first one thousand three hundred and sixty-six dollars (\$1366) in wages which were paid to [the] compensated employee by [an employer of such employee] in each of such compensation employees employers during the base year immediately preceding the employee's benefit year and which wages shall be treated as though they had been paid in the calendar quarter in which the amount of compensation was paid which together with any amounts of compensation previously paid with respect to such benefit year equals at least three times the employee's weekly benefit rate for the purpose of charging the employer's reserve account under the provisions of subsection (b) of section 302 of this act "wages of compensated employees" as used therein shall not include wages which were the basis of credit for a waiting week or the payment of unemployment compensation or both as a result of any employee being unemployed under conditions which under subsection (d) of section four hundred two of this act as amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1186) would have made him ineligible for compensation providing any such employer within sixty days from the date of mailing notice of his contribution rate for the year one thousand nine hundred forty-nine as computed under the provisions of section three hundred one as amended by this act files an appropriate application with the department giving sufficient information to enable the department to determine whether or not his "wages of compensated employees" should be adjusted under the provisions of this subsection if however such employee was otherwise unemployed during a period in his benefit year for which he was otherwise eligible for credit for a waiting week and in addition thereto was paid compensation equal to at least three times his weekly benefit rate then the "wages of a compensated employee" which were the basis thereof shall be included in the "wages of compensated employees" for the employer in the same calendar quarter to which such wages were originally allocated by the department provided that the provisions of this subsection shall not result in the removal or transfer of any "wages of a compensated employee" for any calendar quarter to which such "wages" were originally allocated by the department in determining "state experience" as defined in subsection (s) of section four of this act

(z) "Week" means any calendar week ending at midnight Saturday or [the equivalent thereof as determined]

ccordance with general rules adopted by the department] ny seven consecutive calendar days or each accumulation f four "effective days" which need not be consecutive

Section 2 Section four of the said act is hereby amended y adding thereto new subsections (z.3) (z.4) (z.5) and z.6) as follows

(z.3) "Computation Date" means June thirtieth of the ear preceding the effective date of new rates of con- tribution which date shall be January first of the succeed- ag year

(z.4) "Annual Payroll" means the total amount of wages" as herein defined paid by any employer during he twelve consecutive calendar month period ending on une thirtieth of any year including such wages paid by ny other employer appertaining to that balance of the ervice account of such other employer which may have een transferred to such employer

(z.5) "Average Annual Payroll" means the average of he last three consecutive "annual payrolls" of any em- ployer

(z.6) "Effective Day" means a full day of total unem- ployment provided that such day falls within a week in hich an employe had four or more days of total un- employment provided further that only those days of otal unemployment in excess of three days within such week shall be deemed "effective days" and employe who s employed on a shift continuing through midnight shall e deemed to have been employed only on the day eginning before midnight with respect to such shift

Section 3 Section three hundred one of the said act as ast amended by the acts approved the tenth day of June nd the ninth day of July one thousand nine hundred rty-seven (P. L. 498 and 1469 respectively) is hereby arther amended to read as follows

Section 301 Contributions by Employers Experience ating

[A] (A) Each employer shall pay contributions with ect to the calendar year one thousand nine hundred rty-eight] nine and each calendar year thereafter at rate equal to two and seven-tenths per centum of wages aid by him for employment Provided however That ch rate shall be adjusted between a minimum rate of ve-tenths of one per centum and a maximum rate of wo and seven-tenths per centum in accordance with the llowing provisions of this section if with respect to the djustment of rate for the year one thousand nine hun- red forty-nine the employer has paid contributions nder this act for one or more quarters in each of the ve calendar years immediately preceding such year and ith respect to the adjustment of rates for the year one ousand nine hundred fifty and thereafter if the em- ployer has paid contributions under this act for one or ore quarters in each of the three twelve month periods ding on the computation date for the year for which e rate is applicable and has also paid contributions nder this act for one or more of the first four of the st five calendar quarters immediately preceding such ree twelve month periods and provided further how- ver that no employer's rate of contribution for any alendar year shall be less than two and seven-tenths er centum unless all his contributions due on wages aid to the end of the second calendar quarter of the eceding calendar year together with interest and penal- es due thereon have been paid by the thirty-first day f July of such preceding calendar year except that an ployer who has timely filed an appeal as provided subsection (e) of this section and who has been etermined ineligible to receive a reduced rate solely e basis that he has not paid all contributions interest d penalties within the time limits as required in this subsection shall have his rate redetermined and shall ot be considered ineligible under this subsection if pay- ent of such delinquent contributions interest and penal- es is made within thirty days after the department as notified the employer of the reason for his ineligibility r rate reduction in response to the appeal filed by the ployer under subsection (e)

(a.1) Except as specifically provided under section four andred four wages paid with respect to employment per-

formed under shipping articles shall for the purposes of this act be considered as having been paid as of a date determined under rules and regulations of the department irrespective of when actual payment was made to the employe

(b) Each employer with respect to any period prior to the first day of January one thousand nine hundred forty-[eight] nine shall be liable for contributions in accordance with the provisions of this act applicable to each period in effect prior to [the effective date of this amendment] such date and for these purposes such pro- visions shall remain in force and effect

(c) The rate of contribution payable by an employer entitled to an adjustment [between the minimum rate of one per centum and the maximum rate of two and seven-tenths per centum for each calendar year] as herein provided shall be [determined prior to the due date of his first contribution for the year in accordance with the following table

State Experience	Employers Experience			
	Col 1	Col 2	Col 3	Col 4
6% or less .....	17	25	34	42
7 .....	14	21	29	36
8 .....	13	19	25	31
9 .....	11	16	22	28
10 .....	10	15	20	25
11 .....	9	14	18	23
12 .....	8	13	17	21
13 .....	8	12	15	19
14 .....	7	11	14	18]
[15] .....	7	10	13	17
16 .....	6	9	12	16
17 .....	6	9	12	15
18 .....	6	8	11	14
19 .....	5	8	11	13
20 .....	5	8	10	13
21 .....	5	7	10	12
22 .....	5	7	9	11
23 .....	4	7	9	11
24 .....	4	6	8	10
Rate of Contribution ..	1%	1.5%	2%	2.5%]

(A) When as of the computation date there is a credit balance in such employer's reserve account which balance shall include contributions and benefits with respect to the period ending on the computation date and actually paid on or before July thirty-one immediately following such computation date and shall also include any volun- tary payments made in accordance with subsection (g) of Section 302 of this act his contribution rate shall be as set forth in the following table

State	Employer Percentage					
	9 or More	8	7	6	5	Less Than 4
Percentage						
9.1% or more .....	.5	.7	1.0	1.5	2.0	2.5 2.7
8.9 and less than 9.1 ....	.5	.7	1.2	1.7	2.2	2.7 2.7
8.7 and less than 8.9 ....	.5	.9	1.4	1.9	2.4	2.7 2.7
8.5 and less than 8.7 ....	.6	1.1	1.6	2.1	2.6	2.7 2.7
8.3 and less than 8.5 ....	.8	1.3	1.8	2.3	2.7	2.7 2.7
8.1 and less than 8.3 ....	1.0	1.5	2.0	2.5	2.7	2.7 2.7
7.9 and less than 8.1 ....	1.2	1.7	2.2	2.7	2.7	2.7 2.7
7.7 and less than 7.9 ....	1.4	1.9	2.4	2.7	2.7	2.7 2.7
7.5 and less than 7.7 ....	1.6	2.1	2.6	2.7	2.7	2.7 2.7
7.3 and less than 7.5 ....	1.8	2.3	2.7	2.7	2.7	2.7 2.7
7.1 and less than 7.3 ....	2.0	2.5	2.7	2.7	2.7	2.7 2.7
6.9 and less than 7.1 ....	2.2	2.7	2.7	2.7	2.7	2.7 2.7
6.1 and less than 6.9 ....	2.4	2.7	2.7	2.7	2.7	2.7 2.7
6.5 and less than 6.7 ....	2.6	2.7	2.7	2.7	2.7	2.7 2.7
Less than 6.5 .....	2.7	2.7	2.7	2.7	2.7	2.7 2.7

As used in the foregoing table the term "Employer Per- centage" means the ratio of the balance in an employer's

reserve account to his average annual payroll and the term "State Percentage" means the ratio of the balance as of July thirty-first immediately following such computation date in the unemployment trust fund to the credit of the Commonwealth of Pennsylvania as recorded on the records of the department to the aggregate average annual payrolls of all employers

Provided however that in no case shall the rate of any employer exceed two and seven-tenths per centum or be less than five-tenths of one per centum

[(d) An employer's rate of contribution for each calendar year shall subject to adjustment as provided in clause (f) hereof be that specified at the end of the column in which on the line opposite the State Experience there appears the percentage nearest to the Employer's Experience Provided That the rate of contribution of any employer whose Employer's Experience is in excess of the percentage appearing in column four on the line opposite the State Experience shall be two and seven-tenths per centum and Provided further That if the Employer Experience of any employer computed to an infinite number of decimal places is exactly equally removed from two percentage figures which appear on the line opposite the State Experience the rate of contribution of such employer shall be the rate specified at the end of the column in which appears the higher of such two percentage figures]

[(e) No employer's rate of contribution for any calendar year shall be less than two and seven-tenths per centum unless all his contributions due on wages paid to the end of the second calendar quarter of the preceding calendar year together with interest and penalties due thereon have been paid by the thirty-first day of December of such preceding calendar year

(f) Fund Stabilization Factor To assure an adequate balance in the fund to meet the benefit payments which may be expected and to avoid the accumulation of excessive reserves the employer's rate of contribution determined in accordance with subsection (d) of this section shall be further adjusted as follows If at the beginning of the first day of any calendar year the balance in the Unemployment Trust Fund to the credit of the Commonwealth of Pennsylvania is eight and three-tenths per centum or more of the total wages of all employees paid during the first four of the last six completed calendar quarters as reported to the department by the preceding September thirtieth then the employer's rate of contribution for such calendar year shall be further adjusted downward in accordance with the following table Provided however That if at the beginning of the first day of any calendar quarter the balance in the Unemployment Trust Fund to the credit of the Commonwealth of Pennsylvania is less than eight and one-tenth per centum of the total wages of all employees paid during the first four of the last six completed calendar quarters as reported to the department by the last day of the next to the last completed calendar quarter then and in that event the employers rate of contribution for each calendar quarter shall be further adjusted upward in accordance with the following table]

[Employer's Adjusted Rate of Contribution determined in accordance with paragraph (d)

		1%	1.5%	2.0%	2.5%	2.7%
Balance in fund (State Reserve Ratio)	Employer's adjusted rate of contribution in accordance with the provisions of this subsection					
9.1% or more		.5	.7	1.0	1.5	2.7
8.9 and less than 9.1		.5	.7	1.2	1.7	2.7
8.7 and less than 8.9		.5	.9	1.4	1.9	2.7
8.5 and less than 8.7		.6	1.1	1.6	2.1	2.7
8.3 and less than 8.5		.8	1.3	1.8	2.3	2.7
8.1 and less than 8.3		1.0	1.5	2.0	2.5	2.7
7.9 and less than 8.1		1.2	1.7	2.2	2.7	2.7
7.7 and less than 7.9		1.4	1.9	2.4	2.7	2.7
7.5 and less than 7.7		1.6	2.1	2.6	2.7	2.7
7.3 and less than 7.5		1.8	2.3	2.7	2.7	2.7
7.1 and less than 7.3		2.0	2.5	2.7	2.7	2.7
6.9 and less than 7.1		2.2	2.7	2.7	2.7	2.7

6.7 and less than 6.9	2.4	2.7	2.7	2.7	2.7
6.5 and less than 6.7	2.6	2.7	2.7	2.7	2.7
Less than 6.5	2.7	2.7	2.7	2.7	2.7

[(g)] (d) Successor-in-interest [(1) Pursuant to rules adopted by the department an employer who prior to the first day of January one thousand nine hundred and forty-six acquires an organization trade or business in whole or in part from another employer shall immediately notify the department and for the purpose of ascertaining the rate of contribution of the succeeding employer his "Employer's Experience" shall include that of the prior employer as related to the whole or part of the organization trade or business acquired Such a succeeding employer shall receive full credit for the years during which the former employer made contributions as to the organization trade or business acquired

(2) [An] Where an employer [who] subsequently to the [thirty-first] thirtieth day of [December] June one thousand nine hundred and [forty-five] forty-nine transfers his or its organization trade or business in whole or in part to a successor-in-interest [may jointly make application with] such successor-in-interest may make application for transfer of the ["Employer's Experience" whole or appropriate part of the experience record of the preceding employer to the successor-in-interest including credit for the years during which contribution were paid by the preceding employer [The] If an application for such transfer is filed in accordance with the rules and regulations of the department and within the time limits prescribed therein the department may allow such transfer [of "Employer's Experience" pursuant to rules and regulations adopted by the department] only if it finds that the ["Employer's Experience"] employment experience of the preceding employer with respect to the organization trade or business or part thereof as the case may be which has been transferred may be considered indicative of the future ["Employer's Experience"] employment experience of the successor-in-interest In the event of a part transfer of an employer organization trade or business only [that] such portion of the ["Employer's Experience"] experience record of the preceding employer [relating to the portion of the organization trade or business transferred] as such employer's wages for the last calendar year's annual payroll of the organization trade or business transferred bears to his TOTAL annual payroll for such last calendar year shall be transferred and credit shall be given to the successor-in-interest only for the years during which contributions were paid by the preceding employer with respect to that part of the organization trade or business transferred A transfer of ["Employer's Experience"] reserve account balance in whole or in part having been applied for and approved by the department the preceding employer thereafter shall not be entitled to consideration for an adjusted rate based upon his experience or part thereof as the case may be reserve account balance which has been thus transferred

A preceding employer or successor-in-interest who prior to the transfer was an employer during the calendar year in which the transfer occurred shall not have his rate of contribution adjusted under the provisions of the subsection for the remainder of such year A successor-in-interest who prior to the transfer was not an employer during the calendar year in which the transfer occurred and who has made application for a transfer which has been approved by the department as provided here and who together with his predecessor has paid contributions for the period required under subsection (1) of section three hundred one with respect to the organization trade or business or part thereof which has been transferred shall be assigned the same rate of contribution as the preceding employer for the remainder of such year after which his rate of contribution shall be determined on the basis of the balance in the reserve account which has been combined with any other reserve account which such successor-in-interest may have acquired

[(h)] (e) (1) The department at least once during

each calendar quarter shall furnish each employer with a notice showing the amount of compensation paid during the preceding calendar quarter and charged to such employer's account including the names of the claimants, the weeks for which compensation was paid and the amount of compensation charged. All questions involving the eligibility of a claimant to receive compensation shall be resolved as provided under the provisions of section five hundred one of this act and such eligibility may not be directly contested by an employer under the provisions of this section. The clerical accuracy of the notice provided under the provisions of this subsection may not be contested by an employer in connection with any future appeal by the employer from the rate of contribution assigned to him unless within sixty days from the date of mailing of such notice the employer files with the department a protest in writing contesting the clerical accuracy of such notice and setting forth in detail the item or items to which exception is taken and the reasons therefor. Such period of sixty days may be extended with the approval of the department upon written application by the employer filed prior to the expiration of such period.

(2) The department shall promptly notify each employer of his rate of [contributions] contribution for the calendar year determined as provided in this section and for each calendar quarter when modifications in rates are made in accordance with paragraph (f). The department shall furnish each employer with a statement showing the base year wages from such employer of each of his compensated employees and the benefit year to which such wages relate. The determination of the department of the employers rate of contribution shall become conclusive and binding upon the employer unless within thirty days after the mailing of notice thereof to the employer's last known post office address the employer files an application for review and redetermination setting forth his reasons therefor provided that subject to the provisions of subsection (j) of this section the department at any time on its own motion may adjust an employer's contribution rate if it finds that such rate is incorrect. The department may if it deems the reasons set forth by the employer insufficient to change the rate of contribution deny the application otherwise it shall grant the employer a fair hearing. The employer shall be promptly notified of the denial of his application or of the department's redetermination both of which shall become final and conclusive within thirty days after he mailing of notice thereof to the employer's last known post office address unless the employer shall appeal by petition from the action of the department to the Court of Common Pleas of Dauphin County within such time.

[(i)] (f) The petition filed in the Court of Common Pleas of Dauphin County shall set forth the reasons why the employer deems the rate of contribution determined by the department is incorrect. No questions shall be raised in any such petition except such as were set forth in the application for review and redetermination by the department. A copy of the petition shall be served on the secretary or his deputy. The court shall fix a time for hearing the petition and after hearing shall enter such order affirming or changing the rate of contribution determined by the department as to it appears just and proper. From the decision of the court an appeal may be taken by the department or the employer to the Supreme or Superior Court as in other cases.

[(j)] (g) Pending the determination of the correct rate of contribution payable by an employer where an appeal to court has been taken the employer shall be liable to the payment of the contributions at the rate as determined by the department. But if the rate of contribution is changed by order of court then the department shall without application by the employer make an adjustment thereof in connection with subsequent contribution payments as provided in section three hundred eleven of this act or the employer may apply for a refund in accordance with said section.

[(k)] (h) Each employer shall be given notice of the filing of valid applications for benefits by his former

employees as provided in section five hundred one. Notice having been properly given as provided in such section no employer shall have standing in any proceeding involving his rate of contributions to contest the chargeability to his account of any [wages of a compensated employee] compensation paid to such employee on the grounds that he was not given sufficient or adequate notice or opportunity to be heard.

[(1)] (i) For purpose of determining whether or not an employer has paid contributions [in each of the five calendar years immediately preceding the year for which a rate is applicable as provided in subsection (b) of this section] in order to be eligible for consideration for an adjusted rate an employer who shall have served in the active military or naval service of the United States at any time after the sixteenth day of September one thousand nine hundred and forty and prior to the termination of the present war and who shall have been discharged or released from active service under conditions other than dishonorable shall be deemed to have paid contributions under this act during any [calendar] fiscal year ending on the thirtieth day of June any part of which is included in such period of military or naval service. Provided That he has actually paid contributions under this act for one or more quarters in either the [calendar] fiscal year ending on the thirtieth day of June in which he entered such military service or in the immediately preceding [calendar] fiscal year ending on the thirtieth day of June.

(j) If the department finds that it has erroneously notified an employer that his rate of contribution is less than the rate to which he is entitled he shall be notified of the revision of his rate and he shall be required to make payment of additional contributions on the basis of the revised rate. Provided That no such additional contributions shall be required unless the employer is notified of his revised rate not later than one year from the end of the calendar year to which the rate is applicable unless the department finds that the employer has directly or indirectly contributed to the error. No interest shall be required to be paid in connection with such additional contributions if they are paid within thirty (30) days from the date that the employer is notified of his revised rate.

Section 4 The said act is hereby amended by adding thereto a new section three hundred two reading as follows:

Section 302 Establishment and Maintenance of Employer's Reserve Accounts. The department shall establish and maintain for each employer a separate employer's reserve account in the following manner:

(a) Such account shall be credited with all contributions paid prior to January first one thousand nine hundred forty-nine by said employer for the period between July first one thousand nine hundred forty-five and June thirtieth one thousand nine hundred forty-eight both inclusive.

(b) Such account shall be charged with an amount which is the total of the three products obtained by multiplying such employer's wages of compensated employees including reemployment credits if any as ascertained by the department for each of the twelve month periods ended June thirtieth one thousand nine hundred forty-six, one thousand nine hundred forty-seven and one thousand nine hundred forty-eight by a factor for each of said periods respectively which factor the department shall establish for each of the twelve months periods by dividing the total compensation paid to all employees during such period by the total wages of compensated employees applicable to such period.

(c) Such account shall be credited with an amount computed as follows:

(1) Every employer subject to this act on June thirtieth one thousand nine hundred forty-eight who was also subject to this act on or before June thirtieth one thousand nine hundred forty-five shall be segregated into one of ten categories which categories shall represent respectively the years 1936 to 1944 both inclusive and the half year ended June thirtieth one thousand nine hundred forty-five when the employers segregated to each

said category shall first have become subject to this act

(2) The average annual payrolls for the period ended June thirtieth one thousand nine hundred forty-seven of all the employers in each of the ten categories established in subparagraph (1) hereof shall be allocated to such category

(3) To each separate category shall be assigned a factor which shall represent all contributions by even million dollars paid into the Unemployment Trust Fund by all employers from the beginning of the year represented by each said category respectively to and including June thirtieth one thousand nine hundred forty-five

(4) A category product shall be determined for each category by multiplying the total of the AVERAGE annual payrolls of all the employers allocated under subparagraph (2) hereof to each category by the factor assigned thereto under subparagraph (3) hereof

(5) There shall be distributed to each category that portion of the Unemployment Trust Fund as of August thirty-first one thousand nine hundred forty-five in the ratio that the category product thereof bears to the sum total of all the category products computed to four decimal places and any remainder disregarded

(6) The amount to be credited hereunder to the reserve account of each such employer shall be determined as follows His average annual payroll for the period ended June thirtieth one thousand nine hundred forty-seven shall be multiplied by a ratio determined by dividing that portion of the Unemployment Trust Fund distributed under subparagraph 5 hereof to the category into which such employer is segregated by the total of all the average annual payrolls for the same period of all the employers segregated to the same category computed to four decimal places and any remainder disregarded

(d) Such account shall be credited with all contributions paid by such employer for periods subsequent to June thirtieth one thousand nine hundred forty-eight

(e) Such account shall be charged with an amount determined by multiplying the wages of compensated employees of such employer for the twelve month period ended June thirtieth one thousand nine hundred forty-nine by the state experience heretofore used in determining rates of contribution for the year one thousand nine hundred forty-nine

(f) Subsequent to June thirtieth one thousand nine hundred forty-nine such account shall be charged with all compensation by even dollars paid to each individual who received from such employer wage credits constituting the base of such compensation in the proportion that such wage credits with such employer bears to the total wage credits received by such individual from all employers Provided that no compensation shall be charged to such account under the provisions of this subsection (f) if a charge has been made under any other provision of this section to such account with respect to the wages of the compensated employee upon which such compensation was based

(g) Any employer at any time may voluntarily pay into the Unemployment Trust Fund an amount in excess of the contributions required to be paid under the provisions of this act and such amount shall be forthwith credited to his reserve account His rate of contribution shall be computed or recomputed as the case may be with such amount included in the calculation To affect such employer's rate of contribution for any year such amount shall be paid not later than thirty days following the mailing of notice of his rate of contribution for such year Provided that for good cause such time may be extended by the department and provided further that such amount when paid as aforesaid shall not be refunded in whole or in part In no event shall any such amount be included in the computation or recomputation for any year unless it is paid within one hundred twenty days after the beginning of such year

(h) For the purpose of determining any employer's rate of contribution for any year the phrase the "balance in an employer's reserve account" as used in section 301 hereof shall mean the difference between the amounts

computed or ascertained as provided in this section which have been credited or charged respectively to his reserve account either for the period during which he shall have been subject to this act ending on such year's computation date or the immediately preceding three twelve-month periods ending on such computation date whichever amount shall be the greater

(i) The department shall terminate the reserve account of any employer who has not paid wages for a period of four consecutive twelve month periods ending June thirtieth in any year

(j) Nothing contained in this act shall be construed to grant to any employer any claim or right of withdrawal with respect to any amount allocated to him from or paid by him into the Unemployment Trust Fund except as provided in section three hundred eleven hereof

Section 5 The said act is hereby amended by adding thereto a new section 303 as follows

Section 303 Revision of Reserve Effect Increases or reductions of any employer's reserve account shall not affect the reserve account theretofore established for any other employer and shall not affect any other computation made under the provisions of this act

Section 6 Section three hundred thirteen of the said act is hereby repealed

Section 7 The first paragraph of section four hundred two of said act as last amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1186) is hereby further amended to read as follows

Section 402 Ineligibility for compensation An employer shall be ineligible for compensation for any week of accumulation of four "effective days"

Section 8 Subsection (a) of section five hundred one of the said act as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby further amended to read as follows

Section 501 Determination of Compensation Appeal (a) The department shall promptly examine each application for benefits and on the basis of the facts found by it shall determine whether or not the application is valid Notice shall be given by the department in writing to the claimant and each base-year employer of the claimant stating whether or not the claimant is eligible under section four hundred and one (a) and if declared eligible thereunder the weekly benefit rate and the maximum amount of compensation payable Provided That where the ["Employer's Experience"] reserve account of a base-year employer has been transferred to a successor-in-interest such notice shall be given to the successor-in-interest and not to the original base-year employer and Provided further That no notice need be given to base-year employer who has been released by the department from filing contribution reports

Section 9 Section five hundred two of the said act as last amended by the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 60) is hereby further amended to read as follows

Section 502 Decision of referee further appeals and reviews where an appeal from the determination or revision of determination as the case may be of the department is taken a referee shall after affording the parties reasonable opportunity for a fair hearing affirm modify or reverse such findings of fact and the determination or revision of determination as the case may be of the department and to him shall appear just and proper the parties shall be duly notified of the referee's decision and the reasons therefor which shall be deemed the final decision of the board unless within ten days after the date of such decision the board acts on its own motion or upon application permits any of the parties to institute a further appeal before the board a memorandum of testimony of any hearing before any referee shall be made and be preserved for a period of two years notwithstanding any other provisions of this act to the contrary with an appeal or further appeal filed by an employer with the board the employer shall be required to pay a filing fee in an amount which under rules and regulations adopted

by the board shall be determined to be reasonably representative of the costs incident to such appeal provided that such fee shall be refunded if the claimant is finally denied benefits or awarded benefits in an amount less than the amount of the award from which the appeal was taken such fees shall be deposited in the special administration fund and all refunds as provided herein shall be made from such fund

Section 10 Section six hundred one point one of said act as last amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 721) is hereby amended to read as follows

Section 601.1 Special Administration Fund There is hereby created a special fund separate and apart from all public moneys or funds in this Commonwealth to be known as the special administration fund under rules and regulations adopted by the department interest and penalties collected from employers under the provisions of this act and fees incident to appeals as provided in section five hundred two may be paid into the special administration fund such rules and regulations may provide for determining in any manner which payments of interest and penalties are to be paid into the special administration fund and which payments of interest and penalties are to be paid into the unemployment compensation fund the moneys in this fund shall be used for the payment of costs of administration which are found not to have been properly and validly chargeable against Federal grants or other funds received for or in the administration fund said moneys shall not be expended or available for expenditure in any manner which would permit their substitution for or a corresponding reduction in Federal funds which would be in the absence of said moneys be available to finance expenditures for the administration of this act Nothing in this section shall prevent said moneys from being used as a revolving fund to cover expenditures necessary and proper under the law for which Federal funds have been duly requested but not yet received subject to the charging of such expenditures against such funds when received the State Treasurer shall make payment of obligations from the special administration fund as herein provided upon requisition of the secretary and certification by him that no other funds are available or can properly be used to finance such expenditures the moneys in this fund are hereby specifically made available to replace any moneys received pursuant to section three hundred and two of the Federal Social Security Act as amended which because of any action or contingency have been lost or have been expended for purposes other than or in amounts in excess of those necessary for the proper administration of this act and are available for such replacement whether or not such moneys were expended or the obligations covering such expenditures were incurred prior or subsequent to the enactment of this amendment The moneys in this fund shall be continuously available for expenditure in accordance with the provisions of this section and shall not lapse at any time or be transferred to any other fund except as herein provided and as provided under [section] sections three hundred [and] eleven and five hundred two wherein an amount equal to any refund or credit of interest or penalties shall be transferred from the special administration fund to the unemployment compensation fund

Section 11 Section seven hundred two of said act is hereby amended to read as follows

Section 702 Limitation of Fees No employer or employee shall be charged fees of any kind in any proceeding under this act by the department the board or any of its officers or agents except as provided in section five hundred two Any individual claiming compensation in any proceeding before the department the board or referee may be represented by counsel or other duly authorized agent but no such counsel or agent shall either charge or receive any greater fee for such services than is approved by the board any person who violates any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars

or be imprisoned for not more than six months or both

Section 12 (a) An employer who prior to the first day of July one thousand nine hundred forty-nine had acquired an organization trade or business in whole or in part from another employer shall be entitled to a redetermination of the balance in the reserve account assigned to him as of June thirtieth one thousand nine hundred forty-eight under the provisions of this act upon application made by him within thirty days after notification of his rate of contribution under the provisions of this act for the calendar year one thousand nine hundred forty-nine

(b) In such case he shall be entitled to credits and charges to his reserve account appertaining to the records of such preceding employer provided that he establishes to the satisfaction of the department the year within which such preceding employer first became subject to such act

(c) In ascertaining such credits and charges the provisions of section three hundred two shall be applied in which application it shall be deemed that as used therein

(1) "Contributions paid by such employer" as used in sub-sections (a) and (d) of such section includes contributions paid by such preceding employer with respect to the whole or that part of the organization trade or business transferred as the case may be

(2) "Wages of compensated employees" as used in sub-sections (b) and (e) of such section includes such wages of such preceding employer

(3) "Employers subject to this act on or before June thirtieth one thousand nine hundred forty-five" as used in subsection (c) of such section includes any employer who succeeded to the organization trade or business in whole or in part of a preceding employer who was subject to such act on or before such date and

(4) "Average annual payroll" as used in subsection (c) of such section includes annual payrolls of such preceding employer

(d) In respect to acquisitions referred to in this section which occurred prior to the first day of July one thousand nine hundred forty-five such employer shall be deemed to be segregated into that category into which such preceding employer would have been segregated under the provisions of subsection (c) of such section and the credit to which he shall be entitled thereunder shall be determined by the application of the ratio mentioned in subparagraph (6) of such subsection which is applicable to such category

(e) Any change in an employer's reserve account resulting from the application of this section shall not affect the reserve account theretofore established for any other employer and shall further not affect any other calculation made under the provisions of the act which this act amends

Section 13 (a) After the rates of contributions for each employer have been computed for the calendar year one thousand nine hundred forty-nine under the provisions of section three hundred one hereof as herein amended an employer whose rate so computed is greater than the rate computed for him in accordance with the provisions of this act in effect prior to the effective date of this amendment shall pay contributions with respect to the calendar year one thousand nine hundred forty-nine at the lesser rate

(b) Notwithstanding any provision of this act or of the act amended by this act the excess of any contribution paid by any employer with respect to the calendar year one thousand nine hundred forty-nine over the amount determined by the application of his rate of contribution for such year computed under the provisions of section three hundred one hereof as herein amended shall be deemed to have been erroneously paid and shall be allowed by the department as a credit without interest in connection with subsequent payments of contributions by such employer

Section 14 This act shall become effective immediately upon its final enactment and shall apply in the determination of rates of contribution for the calendar year one thousand nine hundred forty-nine and thereafter

On the question,  
Will the House agree to the bill on third reading?  
It was agreed to.  
On the question,  
Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, I do not wish to debate this bill very much at length. I realize that yesterday we fought very ardently to have an amendment put into the bill. Naturally that amendment in the bill is somewhat of a gain. I fear in the dying days of the session, what may happen to amendments that the Senate must concur in. The principle of the bill I am entirely opposed to, and I will vote against this bill, due to the principle that still remains in it, and I am afraid that my little amendment may not remain.

Mr. KENT. Mr. Speaker, I only rise to request that the Members on this side of the House who yesterday opposed the measure vote now in favor of the bill as amended.

Mr. EVANS. Mr. Speaker, I am not going to take any time in discussing this bill. I think you are all familiar with it. We were successful yesterday in putting amendments into this bill which would give employees some consideration under the bill. I think the bill is a proper bill in its present form and I request that the Members on this side of the House vote for the bill.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Altshuler.	Gaffney.	Loftus.	Rosen.
Amarando.	Gallagher.	Madigan.	Rovansek.
Andrews.	George.	McCormack.	Royer.
Bane.	Gibson.	McCullough.	Sarrafi.
Beaver.	Glembocki.	McGee.	Sax.
Bednarek.	Good.	McKinney.	Scanlon.
Blair.	Goodling.	McMillen.	Schmidt.
Bloom.	Graybill.	McNally.	Schuster.
Boles.	Green.	Mihm.	Scott.
Bomberger.	Greenwood.	Mikula.	Seyler.
Boorse.	Greer.	Miller.	Shoemaker.
Bower.	Guarnieri.	Milliken.	Smith, C. C.
Brandon.	Guthrie.	Mills.	Smith, W. B.
Brelschi.	Hagerty.	Mintess.	Snider.
Breth.	Hall.	Monroe.	Sollenberger.
Brice.	Hamilton.	Moore, C. E.	Spencer.
Brown, H. S.	Harney.	Moore, H. A.	Stank.
Brown, W. E.	Harris.	Moran.	Sternberg.
Brunner.	Haudenschild.	Munley.	Stimmel.
Buccchin.	Heatherington.	Murray.	Stuarts.
Cadwalader.	Helm.	Musto.	Swope.
Clapper.	Herman.	Najaka.	Tahl.
Clendenning.	Hersch.	Needham.	Taylor.
Cochran.	Hewitt.	Neff.	Thompson.
Cole.	Hocker.	Nixon.	Tompkins.
Coleman.	Hoffman.	O'Dare.	Toomey.
Conway.	Hoggard.	O'Donnell.	Varallo.
Cooper.	Hunter.	Olsen.	Varner.
Costa.	Jenkins.	Orban.	Verona.
Dalrymple.	Jennings.	Pengilase.	Wachhaus.
DeLong.	Jim.	Pentrack.	Wagner.
Dennison.	Johnson.	Peta.	Wargo.
Depuy.	Jones, G. E.	Petrosky.	Waterhouse.
Dougherty.	Jones, J. M.	Pettigrew.	Watkins.
Driscoll.	Jump.	Pfaff.	Weidner.
Duffy.	Kamyk.	Polen.	Weiss.
Dye.	Keller.	Posta.	Welsh.
Elder.	Kemp.	Powers.	Wescott.
Erb.	Kent.	Price, H. W., Jr.	Westrick.
Evans.	Kirley.	Price, R. A.	Wheeler.
Ewing.	Kline.	Probert.	Williams.
Felton.	Kohl.	Readinger.	Wood.
Ferster.	Kolankiewicz.	Reagan.	Worley.
Filo.	Kondrath.	Reese.	Yaffe.
Firmstone.	Kratz.	Reidenbach.	Yeakel.
Flack.	Kurtz.	Reilly, J. M.	Yester.
Fleming.	Lederer.	Reynolds.	Yetzer.
Floyd.	Lee.	Riley, R. L.	Young.

Fox,  
Frank,  
Frost,

Lelsey,  
Leonard,  
Limper,

Robbins,  
Robertson,  
Rose,

Ziegler,  
Sorg,  
Speaker

## NAYS—4

Barkdoll,

Baumunk,

Lovett,

Nagel,

## NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL PASSED OVER

There being no objection

Senate Bill No. 372, Printer's No. 136  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 376, as follows:

An Act to amend section one thousand one hundred sixty-one and one thousand one hundred sixty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the employment of a supervising principal granting certain powers and defining his duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand one hundred sixty-one and one thousand one hundred sixty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1161 Employment in Districts Third and Fourth Class The board of school directors of any school district of the third or fourth class which has no district superintendent may employ a supervising principal of the public schools of the school district or districts under and subject to the provisions of this article governing the employment and tenure of professional employees Every supervising principal shall be properly certified by the Department of Public Instruction in accordance with such standards as the State Council of Education may establish

Any two or more school districts upon approval of the county superintendent and approval of the county board of school directors of the county in which such districts are situated may join in the employment of a supervising principal

Every supervising principal now in the employ of any school district or employed under the provisions of this section shall sit with the board of school directors of the district or districts employing him except when sitting in executive session and he shall have the right to speak on all matters before such board or boards but not to vote In conjunction with the county superintendent he shall have responsibility over all matters pertaining to general administration and supervision of the public schools in matters relating to such general practice as courses of study methods of teaching rating of teachers discipline and conduct in all schools in his district or districts and shall report the same when required to the county superintendent and the respective boards of school directors

Upon the employment of a supervising principal by an

two or more school districts his duties shall be prescribed by the several districts employing him and his compensation shall be paid as may be agreed upon between the boards of school directors of the employing districts

Section 1162 Joint Employment including supervisors or teachers of special subjects Two or more school districts may upon the nomination or joint nomination of the county superintendent [or the] district superintendent or supervising principal under whose supervision such districts may be join in the employment of [a supervising principal or of] a supervisor or teacher of drawing music or other special subject for part or all of the schools of such districts [Such supervising principal supervisor or special teacher shall be employed his compensation paid and his duties prescribed by the several districts employing him] and may jointly prescribe his duties and fix and pay his compensation under and subject to the provisions of this article governing the employment and tenure of professional employes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Petrack,	Wargo,
Dennison,	Jones, G. E.,	Petrosky,	Waterhouse,
Depuy,	Jones, J. M.,	Peta,	
Dougherty,	Jump,	Pettigrew,	
Driscoll,	Kamyk,	Pfaff,	
Duffy,	Keller,	Polen,	
Dye,	Kemp,	Posta,	
Elder,	Kent,	Powers,	
Erb,	Kirley,	Price, H. W., Jr.,	
Evans,	Kline,	Price, R. A.,	
Ewing,	Kohl,	Proper,	
Felton,	Kolankiewicz,	Readinger,	
Ferster,	Kondrath,	Reagan,	
Filo,	Kratz,	Reese,	
Firmstone,	Kurtz,	Reidenbach,	
Flack,	Lederer,	Reilly, J. M.,	
Fleming,	Lee,	Reynolds,	
Floyd,	Leisey,	Riley, R. L.,	
Fox,	Leonard,	Robbins,	
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 410, as follows:

An Act requiring the county commissioners to provide at the expense of the county telephone service typewriters stenographers office space materials and other equipment for the use of the county superintendent of schools The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In each county of the Commonwealth the county superintendent of schools shall be provided at the expense of the county with telephone service typewriters stenographers equipment and materials used in the performance of their duties either in connection with pupils or teachers and such office equipment facilities and suitable space as shall be determined by the county superintendent and approved by the county board of school directors

Section 2 The stenographer or stenographers shall be chosen by the superintendent and the compensation shall be fixed by the superintendent and county commissioners and shall be paid out of the county treasury

Section 3 The act approved the first day of June one thousand nine hundred fifteen (P. L. 706) entitled "An act requiring the county commissioners to provide at the expense of the county a telephone typewriter and stenographer for the use of the county superintendent of schools" and its amendment is hereby repealed absolutely

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Petrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,

Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 442, as follows:

An Act to amend section eighty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further providing for the payment of expenses of sheriffs at meetings of their State association increasing the allowable expenses for holding the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eighty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 82 Expenses of Members Length of Meetings Expenses [Except in counties of the sixth seventh and eighth classes each] Each sheriff or deputy sheriff or solicitor representing any sheriff shall be allowed all reasonable expenses including hotel bills and traveling expenses actually incurred in going to attending and returning from any annual meeting of the association which shall be paid by the county of which he is an officer by orders drawn on the treasurer thereof but such expense shall not exceed twelve dollars per day together with eight cents per mile in going to and returning from such meeting The time spent in attending such meeting shall not be more than three days exclusive of the time employed in traveling thereto and therefrom The expense of the annual meetings of the association including any necessary amount for printing committee meetings and stenographic service shall [except in counties of the sixth seventh and eighth classes] be paid by the proper counties but shall not exceed [twenty-five] sixty dollars for each county the sheriff of which is a member of said association [In any county of the sixth seventh or eighth class the sheriff of which may be a member of said association the county commissioners may allow like expenses to such sheriff or his representative for attending any such annual meeting and may join with the other counties aforesaid in sharing the expenses of such meetings to the extent aforesaid]

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tabi,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenen,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 446, Printer's No. 701 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 488, as follows:

An Act to further amend section fifteen and twenty-one of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by clarifying certain provisions eliminating provisions for signatures of county controllers and facsimile signatures and requiring the payment to the prothonotary of additional fees under certain circumstances in certain counties and political subdivisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor and the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as last amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 522) is hereby further amended to read as follows

Section 15 Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said properties until fully paid and satisfied Provided [however] That either a suggestion of nonpayment and an averment of default in the form hereinafter provided be filed in cases of tax claims either before or after judgment in the scire facias and in cases of other than tax claims after judgment on the scire facias or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scire facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of nonpayment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now ..... the claimant by ..... [its] his solicitor [or controller] suggests of record that the above claim is still due and owing to the claimant and avers that the owner is still in default for nonpayment thereof The prothonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment shall be signed by or have stamped thereon a facsimile signature of the solicitor or chief executive officer of the claimant [except in counties having a controller in which case as to county taxes shall be signed by or have stamped thereon a facsimile signature of the controller] The prothonotary shall docket

and index the suggestion and averments directed therein and for such services in all counties of the fifth class and the political subdivisions in such counties shall be entitled to a fee of one dollar and in all other classes of counties and the political subdivisions thereof he shall receive the following fee to be taxed and collected as other costs in the claim

Where suggestion and averment is for taxes or municipal claims for one year and is directed to

be indexed in one name only ..... one dollar (\$1)

Each additional year included ..... one dollar (\$1)

Each additional name included .. Twenty-five cents (\$.25)

The filing and indexing of such suggestion and averment within five years of filing the claim or the issuing of any writ of scire facias thereon or of any judgment thereon or of the filing of any prior suggestion and averment of default shall have the same force and effect for the purposes of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment of revival had been obtained within such period Provided That no writ of levavi facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levavi facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid its lien on real estate shall be wholly lost

Section 2 That section twenty-one of said act is hereby amended to read as follows

Section 21 The judgment upon such claim may be revived by writ of scire facias in the following form

The Commonwealth of Pennsylvania to C D and E F Greeting

Whereas A B claimant on the ..... day of ..... AD 1 ..... recovered judgment in the sum of ..... dollars against you that the following described property be sold to satisfy the same

(Here describe property in full)

And whereas We have been given to understand that though judgment as aforesaid was rendered yet the amount thereof is still due and unpaid and remains as a lien against said property Now you are hereby notified to file your affidavit of defense to A B's claim upon said judgment if any defense you have in the office of the prothonotary of our said court within fifteen days after service of this writ upon you If no affidavit of defense be filed within that time said judgment may be revived against you for the amount set forth with interest from time of its recovery and said property to be sold to recover the whole thereof

Witness the Hon ..... President Judge of our said court this ..... day of ..... AD 1 .....

(Seal) ..... Prothonotary

But the parties to the judgment may agree upon an amicable scire facias to revive or to an amicable judgment of revival upon such terms as may be agreed upon with the same effect as if a scire facias in the form aforesaid had been duly issued served and returned

Where the name of more than one defendant is included in the scire facias described in this section the prothonotary shall be entitled to an additional fee of twenty-five cents (\$.25) for each extra name so included

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas  
and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Nedham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varalla,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Orban,	Verona,
Costa,	Jennings,	Penglass,	Wachhaus,
Dalrymple,	Jim,	Pentrack,	Wagner,
DeLong,	Johnson,	Peta,	Wargo,
Dennison,	Jones, G. E.,	Petrosky,	Waterhouse,
Depuy,	Jones, J. M.,	Pettigrew,	Watkins,
Dougherty,	Jump,	Pfaff,	Weidner,
Driscoll,	Kamyk,	Polen,	Weiss,
Duffy,	Keller,	Posta,	Welsh,
Dye,	Kemp,	Powers,	Wescott,
Elder,	Kent,	Price, H. W., Jr.,	Westrick,
Erb,	Kirley,	Price, R. A.,	Wheeler,
Evans,	Kline,	Property,	Williams,
Ewing,	Kohl,	Readinger,	Wood,
Felton,	Kolankiewicz,	Reagan,	Worley,
Ferster,	Kondrath,	Reese,	Yaffe,
Filo,	Kratz,	Reldenbach,	Yeakel,
Firmstone,	Kurtz,	Relly, J. M.,	Yester,
Flack,	Lederer,	Reynolds,	Yetzer,
Fleming,	Lee,	Riley, R. L.,	Young,
Floyd,	Laisey,	Robbins,	Ziegler,
Fox,	Leonard,	Robertson,	Sorg,
Frank,	Limper,		Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 502, as follows:

An Act to amend sections one thousand seventy-three and one thousand seventy-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 4) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating

thereto" by further providing for the term of office and the election of district superintendents and assistant district superintendents in all second and third class school districts of the Commonwealth  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand seventy-three and one thousand seventy-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1073 Manner of election change of class of district The board of school directors of each district of the second or third class electing a district superintendent shall meet in convention at its regular place of meeting on the second Tuesday of April one thousand nine hundred fifty (1950) and every four years thereafter at an hour previously fixed by the board The Secretary shall mail to each member thereof at least five days beforehand a notice of the time place and purpose of such convention Such convention shall in the same manner as a county superintendent is elected and certified elect and certify a properly qualified district superintendent to serve for four years from the first Monday of July next following his election Whenever the term of office of any district superintendent expires he shall continue in office for a further term of four years unless at least sixty (60) days before the date fixed for the election of such a superintendent four or more members of a board of school directors in a second class district or three or more members of a board of school directors in a third class district employing such officer shall forward by registered mail to the district superintendent that another or other candidates will be considered for the office

The term of office or commission of a district superintendent or assistant district superintendent shall not be shortened by reason of the fact that the district in which he serves shall because of loss of population enter a class of districts for which there is no provision for a district superintendent or assistant district superintendent and such superintendent or assistant district superintendent shall continue to serve such district for the term of his office or commission

\* \* \* \* \*

Section 1077 Term and Salary of Assistants Assistant district superintendents shall serve through the term of the district superintendent at salaries paid by the district and fixed by a majority vote of the whole board of school directors prior to the election

In school districts of the second and third class if no convention is held for the election of a district superintendent the term of any assistant district superintendent shall be extended for a further term of four years unless such assistant district superintendent is notified by the district superintendent in writing sixty (60) days before the time fixed for the election of the district superintendent that his commission will terminate at the end of the current term Upon receipt of such notice and in the event any such assistant district superintendent is not reelected his commission shall terminate at the end of his current term

Section 2 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 4 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally

Mr. LOVETT. Mr. Speaker, I cannot find any good reason why this bill should have been put into the final rush. It was referred to the Committee in the Senate on March 7. It is a very short bill and it would not have taken long to consider it. They could have sent it over here before we got into this final rush this Session.

I am not going to debate the bill very much. I can't see any reason under the sun why we should pass this bill today. Our superintendents held office very successfully, I might say, under the present law. We passed other bills here for superintendents, very willing to help along. I am going to request my good friend, the gentleman from Blair, Mr. Sollenberger, to get up and tell this House why in the world we need this bill at all, and if he can do that and if he can satisfy all you men and you think you need such a bill, it is all right with me.

May I request Mr. Sollenberger to give this House some real good reason why we should pass this bill.

Mr. SOLLENBERGER. Mr. Speaker, as I understand it, the gentleman wants to know some good reason for passing this bill. I think we have several good reasons for it.

In the body of the bill we have the fact that sixty days before the election of a district superintendent, a notice shall be sent to the superintendent, that there is going to be an election. Then he knows sixty days prior to the second Tuesday of April, which is the election date for superintendents, that he will have opposition, and that he can discuss the problem with his board or he can look elsewhere for a position. That seems very fair, to give a superintendent notice that there is going to be an election held. The question has been asked of me here on the floor about this notification of an election, that we don't have it; that no one has it. That is not the fact. We do notify the public that we are going to be candidates for the House of Representatives. They know it; they have time to react upon our election. I think that definitely will do away with the type of argument we have here on the floor of the House.

Going back to the bill, Mr. Speaker, less than one-half of the school board members may petition. In the second class districts, where there are nine members, it requires only four signatures on the request. In third class districts where there are seven members, it requires three. Thus, less than one-half of the Board members have the right to call for an election, and that, gentlemen, is a fair and a safe manner to hold an election for the district superintendent. Remember that the superintendent has no say in the matter. It is entirely up to the School Board to say whether he is going to have opposition or whether there is going to be a notification sent to him that there will be opposition. It is definitely a school board bill and not a superintendent's bill, to make himself secure in his office, as some people believe.

There might be many other statements made but it gives the superintendent the right to know he will not be reelected without opposition or he may not be reelected at all, which is a just, fair and honest approach to the problem.

The question was asked today whether that has ever happened. Yes, it has happened many times and it may happen in the future. Again I say that this is a good bill, it is a school board bill for the protection of the district and not a superintendent's bill.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Blair, Mr. Sollenberger.

The SPEAKER. Will the gentleman from Blair permit himself to interrogated?

Mr. SOLLENBERGER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, the gentleman from Blair says that it is not a superintendent's bill, it is a School Board bill. I have talked to men who are interested in the school boards and they say they are opposed to the bill. Why should they be opposed to it?

Mr. SOLLENBERGER. Mr. Speaker, naturally I mean relative to the contracts. We may have made a mistake in putting that phrase to it.

Mr. LOVETT. I should say the gentleman did make a mistake. He made it sound the other way around.

Mr. SOLLENBERGER. Mr. Speaker, the school board wants this so that the school board can do these things.

Mr. LOVETT. Mr. Speaker, I asked the gentleman from Blair for some good reason. He said there was a good reason, and I suppose the gentleman is right. How many superintendents are affected in the state of Pennsylvania under this bill?

Mr. SOLLENBERGER. Do I understand the gentleman to be asking me the number of district superintendents in the state?

Mr. LOVETT. No, Mr. Speaker, under this particular bill.

Mr. SOLLENBERGER. Mr. Speaker, of course, all superintendents in the second and third class districts come under this bill.

Mr. LOVETT. How many are there, Mr. Speaker.

Mr. SOLLENBERGER. I believe there are three hundred and seventy-nine in the third class districts and about twenty or twenty-one or something like that in the second class districts. I am not certain of that number but I would say approximately four hundred.

Mr. LOVETT. Then, Mr. Speaker, I ask the gentleman from Blair, Mr. Sollenberger, in that number of superintendents that we have throughout the state of Pennsylvania, how many of those superintendents are being mistreated at the end of their four year term, by being dismissed? How many of that number would the gentleman say, when they come up for reelection, are being dismissed by the board?

Mr. SOLLENBERGER. Mr. Speaker, in reply to the gentleman, I think he knows and I know that I cannot answer that question. I have no statistics on that but I say it has been done, and I will tell him privately who, when and where it has been done, but not of course for the record. Not too often,—I do not infer that.

Mr. LOVETT. In other words, Mr. Speaker, there may be one or two cases or three or four cases out of the superintendents who have five hundred places in the state. Now, gentleman, that is no reason why we should pass this legislation, to my way of thinking. If we were abusing the superintendents—I want to say to the gentleman that he referred to the Members of the Legislature, that we notified the people. There isn't anything in this bill that the superintendent notifies anybody sixty days prior

to the time that he may be going to retire, or anything like that.

Of course, I realize that there is a certain amount of ethics among school men—these superintendents. If they have opposition; if some one or two members on the board—it would take three members to raise a question on a seven man board, and it would take four on a nine man board—naturally, as I say, if the superintendent is under fire, under the ethics existing in the profession, that would not apply. If there isn't any firing then there is a perfect right to notice. Let us be fair about these things.

The gentleman from Blair hasn't told me any good reason at all why we should pass this legislation. I say honestly to you and aboveboard you are being fair with the superintendents, and there isn't any question about that. I think it comes with ill grace that they ask for protection like this, and I leave the matter up to the judgment of the Members of the House as to whether or not they think that the gentleman from Blair, Mr. Sollenberger, has any case.

Mr. ANDREWS. Mr. Speaker, I want to be sure that I understand this bill. I would like to inquire whether under the terms of this bill, there is not an interval of sixty days before a superintendent's term expires, during which he can rob a bank, steal a horse, fool around with various things that he should not fool around with, and still by virtue of the fact that no notification has been filed that he automatically succeeds himself?

Mr. SOLLENBERGER. Mr. Speaker, in reply to the gentleman from Cambria, Mr. Andrews, I presume that he uses language which goes a little beyond the practical life of a superintendent of schools.

Mr. ANDREWS. A lot of them get mixed up, you know, Mr. Speaker.

Mr. SOLLENBERGER. But he does have sixty days notice, Mr. Speaker, prior to his election on the second Tuesday in April in the year 1950-1954, and it does not say what he shall or shall not do; it just notifies him that there will be an election. I don't know anything else to answer except that that is the wording in the bill.

Mr. ANDREWS. Mr. Speaker, if no notification is filed sixty days prior to the extended end of this term, during those sixty days toward the end of his first term and the beginning of his second term, he may live the life of Riley and still automatically succeed himself?

Mr. SOLLENBERGER. Mr. Speaker, he can only succeed himself if the board reelects him.

Mr. ANDREWS. Mr. Speaker, if they do not notify him that they are going to fire him, don't they have to reelect him?

Mr. SOLLENBERGER. Mr. Speaker, there is no wording in the bill which says anything about his being fired.

Mr. ANDREWS. I thank the gentleman. I still don't understand the bill.

Mr. SOLLENBERGER. Mr. Speaker, it simply says that prior to that sixty days a notice will be sent out by the secretary of the board that four members of a nine member board, or three members of a seven member board request an election of a superintendent on the second Tuesday of November, which is the legal date for the election of a superintendent. It does not say he shall be elected or that he shall be fired. That depends upon the action of the board upon that day.

Mr. BUCCHIN. Mr. Speaker, looking over this measure, 502, there is a convention of school directors on the second Tuesday in the month of April 1950. Nine members of the second class school district sit in convention all by themselves. If they receive a formal application from anyone to be commissioned a superintendent of schools in this Commonwealth, the nine members by unanimous vote or by a majority vote can nominate and place in election a superintendent of schools. As a member of a school district of a second class, I really only have attended four conventions. We have had the benefit of an advisory board consisting of professors of the University, college presidents and so forth. They screen every applicant and they place before the board people who are sincere, who are qualified to perform the high office of superintendent of schools of this Commonwealth, and I think it has been the practice that has been found to be to the best interest of the school districts, whether of the second or third class.

As I see it under this bill if four members of a second class school district should neglect to notify the superintendent of schools, prior to the expiration date of his term, he would automatically keep himself in office for another four years. I think that is fundamentally wrong. I do not think that is the democratic way of electing a superintendent. As a member of the school board in the city of Bethlehem, I reiterate that I attended four conventions, and I see no sound reason why we should not defeat this bill.

Mr. McMILLEN. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland, Mr. Lovett.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. LOVETT. I shall, Mr. Speaker. I am awful glad the gentleman is not an attorney.

Mr. McMILLEN. I am a school board member, for the benefit of the gentleman from Westmoreland, Mr. Speaker. Does the gentleman believe a man should be given notice of termination of his employment, if such termination is contemplated? Does the gentleman think that is fair?

Mr. LOVETT. I would answer that question by saying to the gentleman—

Mr. McMILLEN. Mr. Speaker, I would prefer a yes or no answer. Is it fair that a man should be notified if there is a possibility of termination of his employment?

Mr. LOVETT. Mr. Speaker, if the gentleman is going to make my answer, I won't answer. If he wants me to answer, I will.

Mr. McMILLEN. Mr. Speaker, I would still prefer a yes or no answer.

Mr. LOVETT. Mr. Speaker, I know thousands of men who are working who never get any notice of whether they are to be discharged or not—thousands of them in Pennsylvania.

Mr. McMILLEN. Mr. Speaker, does the gentleman from Westmoreland feel that it is fair that a man should be given notice of the termination of his employment.

Mr. LOVETT. Mr. Speaker, I don't believe that you should give it to any one particular class unless you are going to give it to everyone in the state of Pennsylvania.

Mr. McMILLEN. Mr. Speaker, that is not the question I asked the gentleman. The question we are really debating is, is this a fair proposition that a man should have

notice? Let us start somewhere. Let's be fair. Let's start fair.

All right, now, one more question. Does the gentleman believe that a school board should have the power and authority and the necessary law that would permit them to hire or dismiss a superintendent if they do not want him?

Mr. LOVETT. Mr. Speaker, absolutely, I believe they should have the power.

Mr. McMILLEN. Mr. Speaker, on that question the gentleman answers right, but when it comes the other way, he won't answer yes or no.

The SPEAKER. Does the gentleman desire to further interrogate the gentleman from Westmoreland?

Mr. McMILLEN. No, I do not believe so, Mr. Speaker.

It seems to me that this can resolve itself into two very simple questions. The first, is it fair and just that we should give a man notice if we are contemplating cancellation of his contract, and I believe in that principle.

The other one is, should a school board who is responsible for the operation of the school system, have the right and the power to dismiss a school superintendent if they don't want him, and I believe that is true. This works both ways.

Now then, the gentleman brought up the question here about the board failing to give this sixty days notice. The only thing I can say is that as a school board member, I am not interested enough in the supervision of schools under my control so as to be aware as to this qualification under the law, then I do not deserve to be a school director.

Mr. WEISS. Mr. Speaker, without going into the merits and demerits of Senate Bill 502, let me give you an instance of something that happened quite some years ago when I was a member of the Monessen School Board. About a month and a half before the time came for the election of a superintendent I had heard by the grapevine that some of the members were considering changing the superintendent. I talked to these members and I told them plainly, I said, "Listen, gentlemen, if you feel that a change is necessary, let us talk the thing over, let us call in the superintendent; otherwise, as the superintendent is elected only once every four years, in that case you are giving him the idea that he is going to be reelected and you are giving him false hopes that he is going to be your superintendent for another four years." I said, "If the majority of you men feel that a change is necessary, I for one am willing to go along with that change" but I said "Gentlemen, I am not willing to wait until the day of election to let him know what will happen." At that time the matter was dropped. As a matter of fact they had told this particular superintendent that he was going to be elected again. On the day of election, without notice, the Board elected another man. This man on that particular day was shocked. I voted against the election of this new man, and I so stated at the time of the Board meeting. I think that this particular Board should have given him proper notice and in time. This is what happened, a new superintendent was elected and then this man died of a broken heart. Situations of that kind should be prevented.

Mr. LOVETT. Mr. Speaker, I did not expect that I would have to debate with my own colleague on this question, but he asked for it, so I guess we will have to give it to him.

When it comes to men dying of a broken heart, you are

getting down to where it is a pretty tough proposition. If Mr. Sollenberger will get up and say on this floor that superintendents are dying of broken hearts because they don't know whether they are going to have a job in the next four years or not, I probably will be convinced and vote for the bill, but I don't believe that Mr. Sollenberger would get up and make that kind of a statement, that superintendents are dying of broken hearts because they are going to lose their jobs as superintendents. Now, I feel sorry for a superintendent that would allow his heart to be broken because he did not receive a particular job. Pennsylvania is a big state—sometimes it is better to move the people around to different positions, and maybe you will get much better work.

The gentleman back here who said he is a member of the school board, told you that they bring in the name, they have a man there that selects or goes through the qualifications of the man. There isn't anything unfair about that, and if there are two men on that school board who wish to have that election, they could not do it. Even if they qualified for ninety days before, they could not do it—you have to have three men on the school board, on one school board, and four on the other school board. Now, at least I fight in the interest of the minority. If there are two men on that board, they should have the right to say that there will be an election and bring in the names of the candidates they want for superintendent in that particular school district. I think that the gentleman back here explained it very well, that that has been the custom. We have had good school superintendents, and I see no reason why we should change it at this time.

Mr. SOLLENBERGER. Just one more statement, Mr. Speaker. The gentleman from Westmoreland, Mr. Lovett, asked the question about the election and relative to the broken hearts of superintendents. I do not believe that I have inferred that, and we are not talking in that vein. We are simply saying that this is a good bill, it is a protecting bill from the standpoint of both the school boards and the superintendents. It is clear; just a few lines will explain that.

Now, Mr. Speaker, relative to the statement of the gentleman from Bethlehem, that is true, that is the way many superintendents are elected, but under this bill he can be elected in the very same manner. Were that not true, then the bill would not be a good bill, but he is elected just the same under this bill. There is nothing in the world to change the old fashioned elections so far as pertains to getting expert advice as to these men; it simply permits the same as is permits any other election board. It is just a notification of sixty days, and that certainly isn't doing anything that is not fair.

Mr. CLAPPER. Mr. Speaker, I would like to make this statement to the Members of the House. You have heard the debate pro and con on this bill. The Member from Westmoreland has made the statement that he cannot see why this legislation should be passed. There are any number of reasons why this bill can be called a good bill. In the first place, the bill if it was passed by the Senate it certainly must have some merit or it would never have passed the Senate. They gave it serious consideration.

I would further like to make this statement, two weeks ago we passed a bill in this House extending the term of the county commissioner from four to six years. I think it was proper that that bill should be passed in the House,

and I think it would only be due and proper that this bill pass this House this afternoon. We must remember one thing, that the superintendents of schools in Pennsylvania are doing a magnificent piece of work, and I would like to impress upon your minds, if it were not for the school superintendents and for their leadership in our educational system, we would be facing a demoralized situation. If we want good schools, we must have good leaders. I believe it is only fair that we give them consideration when we have legislation that would be beneficial to them.

The question was asked, why should they be notified sixty days before the expiration of their term by the members of the school board. I would like to make this statement, and I believe that most of you will agree with me, that if a man is to be dismissed on short notice from any position, he is naturally going to let his work undone and he will leave his office in a condition that would not be satisfactory to the work which he is doing. Those of you who have had any experience with school districts cannot deny the fact that any superintendent going out of any school system on short notice will let that school be demoralized. The whole setup of the school program is disrupted, and any bad move that is made naturally has its effects upon the students of that school.

I repeat what I said a week or so ago, that the educational system in our nation is facing a national crisis. I repeat that statement this afternoon. I realize that His Excellency, the Governor of Pennsylvania was aware of that fact when he tried and did help to pay the teachers of Pennsylvania an increase in salary. I know that at the present time in one of the teacher's colleges there are six positions waiting for every teacher who graduates from that state teacher's college this year. That is a fact that should make all of us think.

I say this afternoon the future destiny of the Commonwealth of Pennsylvania and of the nation as a whole rests in the very laps of our county superintendents of schools, and I think it is only fair that we give these men who are doing a fine job careful consideration when we vote at this time, and I ask my colleagues to support this bill this afternoon.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—158

Altshuler,	George,	McMillen,	Royer,
Amarando,	Gibson,	McNally,	Sarra,
Bane,	Graybill,	Mikula,	Sax,
Barkdoll,	Green,	Miller,	Scanlon,
Baumunk,	Greenwood,	Milliken,	Schmidt,
Bednarek,	Greer,	Mills,	Schuster,
Blair,	Guthrie,	Mintess,	Scott,
Bloom,	Hall,	Monroe,	Shoemaker,
Bomberger,	Haudenshield,	Moore, C. E.,	Smith, C. O.,
Boorse,	Heatherington,	Moore, H. A.,	Snider,
Bower,	Helm,	Moran,	Sollenberger,
Brelschi,	Herman,	Munley,	Stank,
Brice,	Hewitt,	Murray,	Sternberg,
Brunner,	Hocker,	Nagel,	Stimmel,
Clapper,	Hoffman,	Najaka,	Stuart,
Clendening,	Hoggard,	Needham,	Tahl,
Cole,	Hunter,	Neff,	Thompson,
Coleman,	Jenkins,	Nixon,	Toomey,
Conway,	Jim,	O'Dare,	Varallo,
Cooper,	Johnson,	O'Donnell,	Varnier,
Costa,	Jones, G. E.,	Olsen,	Wachhaus,
Dalrymple,	Jump,	Orban,	Wargo,
DeLong,	Kamyk,	Peta,	Waterhouse,
Dennison,	Keller,	Petrovsky,	Watkins,

Depuy,	Gallagher,	Pettigrew,	Weidner,
Dougherty,	Kemp,	Pfaff,	Weiss,
Driscoll,	Kent,	Polen,	Welsh,
Duffy,	Kirley,	Powers,	Wescott,
Dye,	Kline,	Price, H. W., Jr.,	Westrick,
Erb,	Kohl,	Price, R. A.,	Wheeler,
Ewing,	Kolankiewicz,	Reese,	Williams,
Felton,	Kratz,	Reidenbach,	Worley,
Ferster,	Kurtz,	Reilly, J. M.,	Yaffe,
Filo,	Lee,	Riley, R. L.,	Yeakel,
Firmstone,	Leisey,	Robbins,	Yester,
Flack,	Leonard,	Robertson,	Yetzer,
Fleming,	Loftus,	Rose,	Young,
Fox,	McCormack,	Rosen,	Ziegler,
Frank,	McCullough,	Rovansek,	Sorg,
Frost,	McGee,		Speaker

## NAYS—27

Andrews,	Goodling,	Limper,	Reagan,
Breth,	Hagerty,	Lovett,	Seyler,
Brown, H. S.,	Hamilton,	Madigan,	Smith, W. B.,
Buchlin,	Harris,	Mihm,	Tompkins,
Cadwalader,	Jennings,	Musto,	Wagner,
Gaffney,	Jones, J. M.,	Posta,	Wood,
Good,	Kondrath,	Proper,	

## NOT VOTING—23

Beaver,	Evans,	Krise,	Reynolds,
Boies,	Floyd,	Lederer,	Spencer,
Brandon,	Glembocki,	McKinney,	Swope,
Brown, W. E.,	Guarnieri,	Penglase,	Taylor,
Cochran,	Harney,	Pentrack,	Verona,
Elder,	Hersch,	Readinger,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 446, as follows:

An Act to amend sections one two three four and seven and to repeal section five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-seven (P. L. 1145) entitled "An act empowering in cities of the second class cities of the second class A cities of the third class boroughs towns township of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or provide for the levying assessment and collection of certain additional taxes subject to maximum limitation for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance of resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court prohibiting the levy and collection of certain taxes providing for an over-all limit on revenues to be collected annually and for the use of excess monies collected requiring reduction of tax rates in certain cases and affording remedies to compel such reduction imposing limits on rates of certain taxes regulating appeals from tax ordinances and resolutions providing for joint agreements for the collection of taxes regulating penalties and interest on taxes and requiring certified copies of effective tax ordinances and resolutions to be filed with the Department of Internal Affairs The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one two three four and seven of the act approved the twenty-fifth day of June one thousand nine hundred and forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of

the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter session and to the Supreme Court and Supeior Court" are hereby amended to read as follows

**Section 1 A Delegation of Taxing Powers and Restrictions Thereon** The duly constituted authorities of the following political subdivisions cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class [shall have the authority] may in their discretion by ordinance or resolution for general revenue purposes [to] levy assess and collect or provide for the levying assessment and collection of such taxes on persons transactions occupations privileges subjects and personal property within the limits of such political [subdivision] subdivisions as [it] they shall determine except that such local authorities shall not have authority by virtue of this act (1) to levy assess and collect or provide for the levying assessment and collection of any tax on a privilege transaction subject occupation or personal property which is now or does hereafter become subject to a State tax or license fee [not have authority] or (2) to levy assess or collect a tax on the gross receipts from utility service of any person or company whose rates and services are fixed and regulated by the Pennsylvania Public Utility Commission or on any public utility services rendered by any such person or company or on any privilege or transaction involving the rendering of any such public utility service [nor have authority] or (3) except on sales of admission to places of amusement or on sales or other transfers of title or possession of property to levy assess or collect a tax on the privilege of employing such tangible property as is now or does hereafter become subject to a State tax or (4) to levy assess and collect a tax on goods and articles manufactured in such political subdivision or on the by-products of manufacture or on minerals timber natural resources and farm products produced in such political subdivision or on the preparation or processing thereof for use or market or on any privilege act or transaction related to the business of manufacturing the production preparation or processing of minerals timber and natural resources or farm products by manufacturers by producers and by farmers with respect to the goods articles and products of their own manufacture production or growth or on any privilege act or transaction relating to the business of processing by-products of manufacture or on the transportation loading unloading or lumping or storage of such goods articles products or by-products (5) to levy assess or collect a tax on salaries wages commissions compensation and earned income of nonresidents of the political subdivision provided that this limitation (5) shall apply only to school districts of the second third and fourth classes (6) to levy assess or collect a tax on personal property subject to taxation by counties or on personal property owned by persons associations and corporations specifically exempted by law from taxation under the county personal property tax law provided that this limitation 6 shall not apply to cities of the second class

**B Vacation of Tax Ordinances and Resolution by State Tax Measures** If subsequent to the passage of any ordinance or resolution under the authority of this act the General Assembly shall impose a tax or license fee on any privilege transaction subject or occupation or on personal property or on sales of admission to places of amusement or on sales or other transfers of title or

possession of property taxed by any such political subdivision hereunder the act of Assembly imposing the State tax or license fee thereon shall automatically vacate the ordinance or resolution passed under the authority of this act as to all taxes accruing subsequent to the end of the current fiscal year of such political subdivision It is the intention of this section to confer upon such political subdivision the power to levy assess and collect taxes upon any and all subjects of taxation except as above restricted and limited which the Commonwealth has power to tax but which it does not [now] tax or license subject only to the foregoing provision that any tax upon a subject which the Commonwealth does hereafter tax or license shall automatically terminate at the end of the current fiscal year of the political subdivision

**C Over-all Limit of Tax Revenues** The aggregate amount of taxes [annually] imposed by enactment of an ordinance or resolution by any political subdivision under this section and in effect during any fiscal year shall not exceed an amount equal to the product obtained by multiplying the total assessed valuation of real estate in such political subdivision at the time of the said enactment by [the maximum millage of tax thereon allowed by law] ten (10) mills in cases of cities of the second class cities of the second class A cities of the third class boroughs towns and townships of the first class and by fifteen (15) mills in cases of school districts of the second class third class and fourth class

**D Reduction of Rates Where Taxes Exceed Limitations Use of Excess Moneys** If during any fiscal year it shall appear that the aggregate revenues from taxes levied and collected under the authority of this act will materially exceed the limitation imposed by this act the political subdivision shall forthwith reduce the rate or rates of such tax or taxes to stay within such limitations as nearly as may be Any one or more persons liable for the payment of taxes levied and collected under the authority of this act shall have the right to complain to the court of common pleas of the county in an action of mandamus to compel compliance with the preceding provision of this clause Tax moneys levied and collected in any fiscal year in excess of the limitations imposed by this act shall not be expended during such year but shall be deposited in a separate account in the treasury of the political subdivision for expenditure in the following fiscal year. The rates of taxes imposed under this act for the following fiscal year shall be so fixed that the revenues thereby produced together with the excess tax moneys on deposit as aforesaid shall not exceed the limitations imposed by this act

**E Limitations on Rates of Specific Taxes** No taxes shall be levied by any political subdivision on the following subjects exceeding the rates specified in this subsection

(a) Per capita poll or other similar head taxes \$10

(b) On each dollar of the whole volume of business transacted by wholesale dealers in goods wares and merchandise 1 mill by retail dealers in goods wares and merchandise and by proprietors of restaurants or other places where food drink and refreshments are served 1½ mills except in cities of the second class where rates shall not exceed 1 mill on wholesale dealers and 2 mills on retail dealers and proprietors no such tax shall be levied on the dollar volume of business transacted by wholesale and retail dealers derived from the resale of goods wares and merchandise taken by any dealer as a trade-in or as part payment for other goods wares and merchandise except to the extent that the resale price exceeds the trade-in allowance

(c) On wages salaries commissions and other earned income of individuals 1%

(d) On retail sales involving the transfer of title or possession of tangible personal property 2%

(e) On sales involving the transfer of title of real property 1%

(f) On admissions to places of amusement athletic events and the like 10%

If at any time two political subdivisions shall impose any one of the above taxes on the same person subject busi-

ness transaction or privilege located within both such political subdivisions during the same year or part of the same year under the authority of this act then the tax levied by a political subdivision under the authority of this act shall during the time such duplication of the tax exists except as hereinafter otherwise provided by one-half of the rate as above limited and such one-half rate shall become effective by virtue of the requirements of this act from the day such duplication becomes effective without any action on the part of the political subdivision imposing the tax under the authority of this act. It is the intent and purpose of this provision to limit rates of taxes referred to in this subsection so that the entire burden of one tax on a person subject business transaction or privilege shall not exceed the limitations prescribed in this subsection. Provided however that any two political subdivisions which impose any one of the above taxes on the same person subject business transaction or privilege during the same year or part of the same year may agree among themselves that instead of limiting their respective rates to one-half of the maximum rate herein provided they will impose respectively different rates the total of which shall not exceed the maximum rate as above permitted.

**F Filing of Certified Copies of Ordinances and Resolutions.** A certified copy of each ordinance or resolution imposing a tax under the authority of this act which is adopted by a political subdivision shall be filed with the Bureau of Municipal Affairs of the Department of Internal Affairs within fifteen days after the same becomes effective.

**Section 2 Advertisement of Intention to Adopt Tax Ordinance or Resolution Prior to the passage of any ordinance or the adoption of any resolution imposing a tax or license fee under the authority hereunder granted such political subdivision shall give notice of the intention to pass such ordinance or adopt such resolution.** Such notice shall be given in addition to all other notices required by law to be given and shall set forth the substantial nature of the tax or license fee to be imposed by the proposed ordinance or resolution the reason which in the judgment of the officials of the subdivision necessitates the imposition of the tax and the amount of revenue estimated to be derived from the tax. Publication of such notice shall be made by advertisement once a week for [four] three weeks in a newspaper of general circulation within such political subdivision if there is such newspaper and if there is not then such publication shall be made in a newspaper of general circulation within the county in which the advertising political subdivision is located.

**Section 3 Appeals by Taxpayers.** No tax levied by any political subdivision to which this act applies shall in any event go into effect until thirty days from the time of the adoption of the ordinance or resolution levying the tax. Within said thirty days taxpayers representing 25% or more of the total valuation of real estate in the political subdivision as assessed for taxation purposes or taxpayers of the political subdivision not less than 25 in number aggrieved by the ordinance or resolution shall have the right to appeal therefrom to the court of quarter sessions of the county upon giving bond with sufficient security in the amount of five hundred dollars (\$500) approved by the court to prosecute the appeal with effect and for the payment of costs. The petition shall set forth the objections to tax and the facts in support of such objections and shall be accompanied by the affidavit of at least 5 of the petitioners that the averments of the petition are true and the petition is no filed for the purpose of delay.

No such appeal shall act as a supersedeas unless specifically allowed by the court to which the appeal is taken or a judge thereof.

Immediately upon the filing of any such petition the petitioners shall serve a copy of the petition and any rule granted by the court upon the president chairman secretary or clerk of the legislative body levying the tax.

The court shall fix a day for a hearing not less than 15 days nor more than 30 days after the filing of the petition. Notice of the time of such hearing shall be given to all interested parties as the court shall direct. The court shall promptly hear and dispose of the appeal.

It shall be the duty of the court to declare the ordinance and the tax imposed thereby to be valid unless it concludes that the ordinance is unlawful or finds that the tax imposed is excessive or unreasonable but the court shall not interfere with the reasonable discretion of the legislative body in selecting the subjects or fixing the rates of the tax. The court may declare invalid all or any portion of the ordinance or of the tax imposed or may reduce the rates of tax.

Any party to the proceeding shall have the right to appeal from the decision of the court of quarter sessions to the Supreme or Superior Court as in other cases but such appeal shall be taken within 30 days from the time the decree of the court was entered and not thereafter. Any two or more parties may join in such appeal.

**Section 4 Administrative Personnel Joint Agreements.** Any such political subdivision is hereby authorized to provide by ordinance or resolution for the creation of such bureaus or the appointment and compensation of such officers clerks collectors and other assistants and employees either under existing departments or otherwise as may be deemed necessary for the assessment and collection of taxes imposed under authority of this act.

Any political subdivisions imposing taxes under authority of this act are authorized to make joint agreements for the collection of such taxes or any of them. The same person or agency may be employed by two or more political subdivisions to collect any taxes imposed by them under authority of this act.

**Section 7 Penalties.** Any such political subdivision shall have power to prescribe and enforce reasonable penalties for the nonpayment within the time fixed for their payment of taxes imposed under authority of this act and for the violations of the provisions of ordinances or resolutions passed under authority of this act.

**Section 2 All taxes levied under the authority of this act which could not be levied legally under the authority of this act as amended or which exceed the rates specified in this amendment shall be void and of no effect after December 31 1949 saving to the political subdivision levying such tax the right to collect all taxes accrued prior to such date.**

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, yesterday I fought very ardently to have amendments put into this bill. I want to say today that I am just as much interested in having this bill passed as it now stands, because at least this bill corrects some of the injustices under Act 481, and I will ask my colleagues to support this bill so at least we may correct the evils as best we can in this particular piece of legislation.

Mr. MORAN. Mr. Speaker, very briefly I assume that every Member here knows what this bill is. We tried to amend this bill; we did amend it. The majority side saw fit to reconsider and take those amendments out, and I want to warn you that with the wage tax in it, organized labor is one hundred percent against this bill.

Mr. ANDREWS. Mr. Speaker, the gentleman from Westmoreland has already asked his colleagues to support this bill. That was a work of supererogation. The coal lobby has to come, first—I miss the familiar faces of the coal lobby.

I understand they haven't yet recovered from a severe

case of goose pimples. There was a period yesterday when the coal lobby was generating goose pimples by the yard, and while I miss the familiar faces of the coal lobby, I welcome back into the Hall of the House various Members whose absence yesterday I presume was purely coincidental, and had no connection with the fact that 446 was pending. Anyhow the Members are back, the coal lobby is gone, and we now legislate with all our legislative supremacy and legal supremacy. Coal is out, wages are in. That was the issue yesterday and it is the issue today.

I want to say that this question is wide open, and so far as this side is concerned, I want to compare the position and state of mind with the state of mind of the other side of the House. The Members over here can vote as they please, but I dare fifteen on the other side to vote as they please. They better vote as they have been told. This bill is a sugarcoat for a bitter dose.

I appreciate the position of the members of the minority who happen to live in districts in which the organized mine workers comprise the principal part of the population. The high command of the miners says "support this bill." I believe that the high command of the miners is wrong, but I also know that it doesn't ordinarily happen when orders come from John L. Lewis down through the ranks that they are disobeyed. I submit that John L. handles the miners with as stern a hand as the gentleman from Montgomery controls the gentleman on the other side. I wish we could have arranged a conference between the two to settle this issue; it would be worth a chance. The issue is "coal out and wages in." Because of that my personal opinion remains the same; I am opposed to this bill.

Mr. LOVETT. Mr. Speaker, after my many years in this House of Representatives that is the first time that I have been hit below the belt.

I want to say to you Members here that I talk to every lobbyist that comes and talks to me, whether they be superintendents of schools—regardless of who they are I have an open ear, and I want to say to my friend Mr. Andrews this afternoon that the lobbyists for the coal operators have a perfect right to come and ask me to support a bill, the same as the superintendents of schools; that anybody has the right to come and ask me to support a bill.

I might say to you that I fought yesterday in support of my friend Andrews and his amendments to this bill, and I fight just as hard today. As I told you yesterday I would have put the bill on the Governor's desk with the amendments in it, but I say it comes with ill grace to even innuenduate that the coal operators asked me to support the bill, and that is why I get up and made this statement. My friends I will ask you again to support this bill, not in the interests of the coal operators but in the interest of justice.

Mr. ANDREWS. I didn't say anything of the kind.

Mr. EVANS. Mr. Speaker, I deeply regret that I have to take the floor on this bill. I had fully intended to vote for this bill and to say nothing more about it, but it is ironic that the first shot in this session should be levelled at the head of John L. Lewis. I didn't know he was an issue in this bill.

I am for this bill for a very obvious reason. I do not believe that any one in this Hall would even remotely suspect that I am a coal operator or in any way con-

nected with the management side of the coal industry. I have had the privilege and the honor for a number of years to represent an organization in central Pennsylvania which represents in turn one hundred and fifty thousand coal miners of this Commonwealth, and my reason for being for this bill is a very obvious one. I am interested in the welfare of one hundred and fifty thousand coal miners in this Commonwealth.

Contrary to popular belief, the United Mine Workers of America are interested in the economy of the coal industry of this Commonwealth. There are coal miners in my district whom I represent and have the privilege and honor of representing, who have been working one or two days a week for months. There are also coal miners in the anthracite fields in this Commonwealth who have been working one or two or three days a week for months. Why is coal the only thing talked about? What is the matter with steel? I don't know of a community in the Commonwealth of Pennsylvania where steel has been taxed. I don't know of a municipality in the Commonwealth of Pennsylvania where electrical products have been taxed. Why is it that probably the biggest industry in the Commonwealth of Pennsylvania has been singled out for taxation?

We were told here yesterday if we did not permit a tax on coal that we were not going to be able to pay our school teachers. I want to tell you this, in view of the economic situation of the coal market at the present time, if the coal market in central Pennsylvania continues to lose business to the coal fields of West Virginia as they have done in recent months, we won't have any schools at all in central Pennsylvania in the coal fields. That is the situation exactly as it is. The record reveals very clearly that in 1947 I voted against Act 481. I would much rather prefer today to be voting for its repeal. The record will reveal that yesterday I voted to take the wage tax out of this bill. I believe that I have made my record and I believe that those who have voted the same way have made their record and I stand now for the passage of this bill, in its present form.

Mr. WILLIAMS. Mr. Speaker, I rise to support this bill for some of the same reasons that the gentleman from Cambria, Mr. Evans, has explained. I have just had word this morning from Washington, D. C., where they are starting contract negotiations between the Coal Operator's Association and the United Mine Workers, that we have already lost three and a half million tons of coal to our surrounding states. I am fearful of the fact that if coal were not taken out of 481 we would probably lose more.

That isn't the only reason that we wanted bill 446. Yesterday we made our record; we opposed the wage tax. Under the prior Act we have no limitation of the wage tax. We have districts today that are being assessed one and a half to two percent of a wage tax, as I understand it. Under this bill it would be limited to one percent. We have districts that have a fifteen to twenty dollar per capita tax assessment, and under 446 it will be limited to ten dollars. We have districts now that are assessing under 481 amusement taxes up to forty percent, where under this act it will be reduced to ten percent; we will have a ceiling of ten percent on it.

As a member of the United Mine Workers, which I have been since 1922, I have never been any place in my life where I have been ashamed to admit it and I for

one do not like the idea of having our International President's name dragged on the floor of the House. He is not an issue in this bill; he has never said a word about this bill. The man with whom I talked was Thomas Kennedy, and he was the fellow who asked us to vote for the passage of House Bill 446. Mr. Lewis, the labor leader, as far as I am concerned, is one of the most highly respected men in this country. He is not only sincere but he has done more for the United Mine Workers than any other labor leader in the country has done for any other group of men.

Mr. Speaker, I am for the passage of this type of bill, irrespective of what the coal lobby would say. I am voting for this bill, because of the fact that our Union asks us to do so. I am asking the other Members on this side of the House who are from the coal regions to do likewise.

Mr. HOMER S. BROWN. Mr. Speaker, I simply want to change the tempo of the argument and simply raise one question.

I regret that coal has been made the subject of the controversy. Those who have read the bill will read on page five that this bill prohibits "the levying or assessment of a tax on goods or articles manufactured in such political subdivisions, or the by-products of manufacturers or of miners, timber, natural resources, farm products, produce," and so forth. Now, how can the local districts maintain their local municipal services if this bill passes? Do not all these people who were granted an exemption under this bill use the same services whether it be coal, whether it be slate, whether it be lime stone or whatever it may be? We have already taken away the right of taxing wealth and placed it here in the state for taxation. Now, we come around and impoverish the local district. How can they maintain their police force? How can they maintain their schools? How can they maintain their sanitary facilities? How can they maintain their water system? How can they maintain their lighting system, if we here are going to syphon all the wealth of the Commonwealth away from the district? It seems to me this is a step in the wrong direction. I should be elated over this bill because the city of Pittsburgh is amply taken care by an exemption, but these districts will become bankrupt because we are removing from them objects of taxation from which they can procure revenue to run the municipal services which this legislature has imposed upon them. It seems to me it is a matter of great concern that this Legislature which gives life to a municipal corporation, should at the same time strangle them so that they cannot carry on the municipal services that were imposed upon them and which we demand they carry on. For these reasons I am going to vote against this piece of legislation.

Mr. COLE. Mr. Speaker, I had no idea of taking any part in this controversy today, but I cannot leave go unchallenged the statement made by the Minority Floor Leader, much as I respect him. I want to say to him and to every Member of this House as far as I am concerned, John L. Lewis is the greatest labor leader this world has ever seen, and I will back him one hundred percent. I think my record of twenty-two years will show that. I have differed with him on several occasions and I have met with him once in the International Convention. I told him to his face that I would not trade the

leadership of the United Mine Workers of America for anything else in the world.

Mr. Speaker, in regard to this bill, I would like to cite a few instances. There is one place in Western Pennsylvania where we were shipping three hundred and fifty thousand tons of coal up to the Great Lakes. On account of the ten cent tax on strip mine coal, those three hundred and fifty thousand tons of coal were lost to Pennsylvania and have gone to Ohio all because of the difference of eight cents a ton. That ten cent tax is what made the difference. In my own county where a township taxes strip mine coal at ten cents a ton the next township may tax it five cents. I would respectfully ask how can they manage to keep their schools going at all. Were there an overall tax on industry it would be different, but when you are going to single out one township where they have it, then another where they do not have it, then I am forced to vote for this bill.

Mr. ANDREWS. Mr. Speaker, I happened to have made a flippant and perhaps an ill advised reference to Mr. Lewis. I think that these indignant gentlemen in these strenuous times have lost their sense of humor. I certainly said nothing concerning Mr. Lewis. Neither did I say anything concerning any Member of this House and I specifically pointed out that members who represent special interests would vote for this bill.

However, the point that the gentleman from Allegheny makes is the point that has been constantly in my mind I say, and I say it advisedly that coal is being used as a bellwether to secure an exemption for all of the other industries that are seeking to escape taxation. These other industries,—the steel industry is a prosperous industry, storing up its surplus; the utilities are prosperous concerns. The other exemptions that are granted are not in the position of the coal industry. So they frame a bill based upon the weakness of the coal industry to secure the exemption for these other industries that are at the very height of prosperity. I say that they do not love the coal industry, their hearts go out to the steel industry, to the construction industry, to the electrical industry and to the other sources of possible taxation that are escaping because of the tax burden that has been placed upon coal.

Mr. ROSE. Mr. Speaker, the fires that have been burning on this side evidently have failed to shed light on the gloom and the fog that took place last night on the measure. I simply want to take this opportunity to point out to some of the Members on the other side who protest their desire to voice their opposition to a wage tax on nonresidents, that under this measure there is nothing to prevent any political subdivision from passing local ordinances which will place a tax on the wages of residents and on non-residents of those political subdivisions, and those who attempt to defend their action of yesterday ought to keep that in mind.

Mr. MUSTO. Mr. Speaker, I had no intention to enter into the discussion on the bill before the House, but due to the fact that there have been so many issues mentioned, I want to clear my position upon bill 446. I want each and every Member within the hearing of my voice to know that I hold no malice against any individual who may favor a tax bill which provides for a tax on nonresidents. The wage tax is left in that bill which gives the privilege to tax to petty politicians who are in office in our local communities, and I want each and every of

of you to know that when I vote "no" on this bill it is for the sole purpose that the wage earner's pocket is being entered by petty politicians within their community.

Mr. TOMPKINS. Mr. Speaker, I do not want to debate any further on this bill. All the debate that is necessary on this side of the House was made yesterday. We ask that this side of the House support this bill, based upon the argument of yesterday. I do want to point out an error in the statement of the gentleman from Philadelphia, Mr. Rose, that this bill specifically prevents a levying of a wage tax on non-residents for school purposes.

Mr. HOMER S. BROWN. Mr. Speaker, I wish to point out so that the record will be clear that this bill provides that this limitation on non-residents shall apply only to school districts of the second, third and fourth class. We just want the record clear.

Mr. LOVETT. Mr. Speaker, I told you yesterday that Act 481 which received No. 800 at this Session, and which passed at the last Session of the Legislature, is the cause of all the debate today. I said at that time that rather than saying in the bill that the municipalities shall have the right to tax anything that the state did not tax, we should have compelled them to tax everything that the state did not tax. Then we would not have found ourselves in the condition we are today, and coal possibly would not be carrying the load of the bill.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—135

Altschuler,	Flack,	Lovett,	Sarraf,
Bane,	Fleming,	Madigan,	Sax,
Barkdoll,	Fox,	McCormack,	Schmidt,
Baumunk,	Frank,	McCullough,	Scott,
Bednarek,	Frost,	McKinney,	Shoemaker,
Blair,	Gallagher,	McMillen,	Smith, C. C.,
Bloom,	George,	Mikula,	Snider,
Bomberger,	Gibson,	Miller,	Sollenberger
Boorse,	Goodling,	Milliken,	Spencer,
Bower,	Graybill,	Mills,	Stank,
Brelsch,	Green,	Mintess,	Stimmel,
Breth,	Greenwood,	Moore, C. E.,	Stuart,
Brice,	Greer,	Murray,	Tahl,
Brunner,	Guthrie,	Najaka,	Thompson,
Cadwalader,	Hall,	Neff,	Tompkins,
Clapper,	Haudenschild,	Nixon,	Toomey,
Clendenning,	Helm,	O'Dare,	Wachhaus,
Cole,	Hewitt,	O'Donnell,	Wagner,
Coleman,	Hocker,	Orban,	Waterhouse,
Cooper,	Hoffman,	Petrosky,	Watkins,
Costa,	Jennings,	Polen,	Weldner,
DaLymphe,	Jim,	Posta,	Weiss,
DeLong,	Johnson,	Price, H. W., Jr.,	Wescott,
Dennison,	Jump,	Price, R. A.,	Westrick,
Depuy,	Keller,	Probert,	Wheeler,
Driscoll,	Kemp,	Readinger,	Williams,
Dye,	Kent,	Reagan,	Wood,
Elder,	Kline,	Reese,	Yaffe,
Erb,	Kohl,	Relly, J. M.,	Yeakel,
Evans,	Kratz,	Riley, R. L.,	Yester,
Ewing,	Kurtz,	Robbins,	Young,
Felton,	Lee,	Robertson,	Ziegler,
Ferster,	Lelsey,	Rovansek,	Sorg,
Firmstone,	Loftus,	Royer,	Speaker

## NAYS—60

Amarando,	Harris,	Limper,	Powers,
Andrews,	Heatherington,	McGee,	Reidenbach,
Brandon,	Herman,	McNally,	Reynolds,
Brown, H. S.,	Hersch,	Mihm,	Rose,
Bucchin,	Hoggard,	Monroe,	Scanlon,
Conway,	Hunter,	Moore, H. A.,	Schuster,
Dougherty,	Jenkins,	Moran,	Seyler,
Duffy,	Jones, G. E.,	Munley,	Smith, W. B.,

Filo,	Jones, J. M.,	Musto,	Sternberg,
Floyd,	Kamyk,	Nagel,	Taylor,
Gaffney,	Kirley,	Needham,	Varallo,
Good,	Kolankiewicz,	Olsen,	Wargo,
Guarnieri,	Kondrath,	Peta,	Welsh,
Hagerty,	Lederer,	Pettigrew,	Worley,
Hamilton,	Leonard,	Pfaff,	Yetzer,

## NOT VOTING—13

Beaver,	Glembocki,	Penglase,	Swope,
Boles,	Harney,	Pentrack,	Varnier,
Brown, W. E.,	Krise,	Rosen,	Verona,
Cochran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## REASONS FOR VOTE

Mr. WEISS filed the following reasons for his vote:

I am voting "aye" and filing the following reasons: Although I am definitely opposed to the wage tax and have so voted and am not in full accord with the treatment being given to school districts under this bill and also the fact that Public Utilities are exempt from their fair share of taxation, yet some of the provisions are commendable and are a big improvement over the present act in effect. Further if this bill (House Bill 446) is defeated, Act 481 would still be in effect. Better than having Act 481 in effect, I am voting for this bill.

## PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker, after examining the record of the gentleman from Cambria, Mr. Andrews, I find that I was somewhat hasty in my remarks because in reading the statement of the gentleman I find that he did not hit below the belt. He said that my constituents had already been taken care of by the coal operators, and not, as I have taken it, that the coal operators had talked to me first, and I wish to apologize to the gentleman from Cambria.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 286, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" eliminating certain obsolete provisions thereof clarifying certain definitions and terms changing the rights and obligations of employers and employees thereunder and requiring prothonotaries to enter certain liens without prepayment of costs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) to (j) inclusive (l) to (x) inclusive (z) (z.1) and (z.2) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) and amended in part by the act approved the second day of April one thousand nine hundred forty-seven (P. L. 50) the act approved the tenth day of June one thousand nine hundred forty-seven (P. L. 498) and the act approved the tenth day of June one thousand nine hundred forty-seven (P. L. 509) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(a) "Base Year" [with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five and prior to the first day of October one thousand nine hundred and forty-five means the calendar year one thousand nine hundred and forty-four and with respect to each benefit year which begins subsequent to the thirtieth day of September one thousand nine hundred and forty-five] means the first four of the last five completed calendar quarters immediately preceding the first day of [such] an individual's benefit year

(b) "Benefit Year" [(i) with respect to an individual who files a "Valid Application for Benefits" as of a day subsequent to the thirty-first day of May one thousand nine hundred and forty-five and prior to the first day of October one thousand nine hundred and forty-five means the period beginning with the day for which such "Valid Application for Benefits" is filed and ending the thirty-first day of May one thousand nine hundred and forty-six (ii) with respect to an individual who files or has filed a "Valid Application for Benefits" [as of a day subsequent to the thirtieth day of September one thousand nine hundred and forty-five] means the one-year period beginning with the day as of which such "Valid Application for Benefits" is filed and [(iii)] thereafter the one-year period beginning with the day as of which such individual next files a "Valid Application for Benefits" after the termination of his last benefit year

(c) "Board" means the Unemployment Compensation Board of Review established by this act

(d) "Calendar quarter" means the period of three consecutive calendar months ending on March thirty-first June thirtieth September thirtieth or December thirty-first or the equivalent thereof as determined in accordance with general rules of the department

(e) "Compensated Employee" [(i) with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five] means an employee to whom compensation equal to at least three times his weekly benefit rate was paid with respect to [such] a benefit year Provided That an employee who is paid compensation under the provisions of section four hundred and seven shall not be considered a "Compensated Employee" with respect to the payment of such compensation and Provided further That when an employee has been paid compensation to which he

was not entitled such payment shall not be considered in determining whether or not the employee has been paid compensation equal to at least three times his weekly benefit rate [except that this provisions shall not affect the computation of an employer's rate of contribution if such payment was not determined erroneous prior to such computation unless such payment was determined erroneous under a court decision and (ii) with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means an employee to whom compensation was paid in such benefit year]

(f) "Compensation" means money payments payable to individuals with respect to their unemployment as provided in this act

(g) "Contributions" means the money payments required to be paid into the Unemployment Compensation Fund by employers with respect to employment which payments shall be used for the creation of financial reserves for the payment of compensation as provided in this act

(h) "Department" means the Department of Labor and Industry of the Commonwealth of Pennsylvania

(i) "Employee" means every individual whether male female citizen alien or minor who is performing or subsequent to January first one thousand nine hundred thirty-six has performed services for an employer in an employment subject to this act

(j) "Employer" means every (1) individual (2) copartnership (3) association (4) corporation (domestic or foreign) (5) the legal representative trustee in bankruptcy receiver or trustee of any individual copartnership association or corporation or (6) the legal representative of a deceased person [(I) who or which employed or employs any employee (whether or not the same employee) in employment subject to this act for some portion of each of some twenty (20) days each day being in a different calendar week during the calendar year one thousand nine hundred thirty-six or during any calendar year thereafter to and including the calendar year one thousand nine hundred and forty-four or] who or which employed or employs any employee in employment subject to this act for some portion of a day during [the] a calendar year [one thousand nine hundred and forty-five or for some portion of a day during any calendar year thereafter] or [(II)] who or which has elected to become fully subject to this act and whose election remains in force

Each individual employed to perform or to assist in performing work of any agent or employee of an employer shall be deemed to be employed by such employer for all the purposes of this act whether such individual was hired or paid directly by such employer or by such agent or employee provided the employer had actual or constructive knowledge of the work

Where an employer maintains more than one place of employment within this Commonwealth all of the employees at the several places of employment shall be treated for the purposes of this act as if employed by a single employer

Any individual copartnership association or corporation who or which is not subject to this act may elect to become subject thereto by filing with the department his or its written application and if such application is approved by the department the election shall become binding for not less than two calendar years

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employees with respect to which no contributions are required and paid under an unemployment compensation law of any other state (1) if the employee or employees included in such election maintain a domicile within this Commonwealth and the services of such employee or employees are performed entirely without this Commonwealth or (2) if the employee or employees included in the election maintains no domicile within this Commonwealth but the services of such employee or employees are (A) performed without

is Commonwealth and (B) are directed from this Commonwealth

Such election shall be subject to the approval of the department and shall become binding for not less than two calendar years

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employees which are exempt under the provisions of subsection (L) of section four of this act. Such election shall be subject to the approval of the department and if such election is approved by the department the election shall become binding for not less than two calendar years

Any services performed for an employer covered by an election pursuant to this subsection shall during the effective period of such election be deemed to be employment for all the purposes of this act. Any election approved by the department pursuant to this subsection shall cease to be effective only as of the first day of January of any calendar year subsequent to the initial two calendar years thereof and only if at least thirty (30) days prior to such first day of January the employer has filed with the department a notice of termination of his election. Notwithstanding any provisions of this subsection to the contrary the department may at any time on its own motion cancel an election approved under the provisions of this subsection

(1) (1) "Employment" means [(i)] all personal service performed [prior to the first day of January one thousand nine hundred forty-five which was employment as defined in this section prior to the effective date of this amendment and (ii) all service performed after the first day of December one thousand nine hundred forty-four which is employment as defined in this section as hereby amended] for remuneration by an individual under any contract of hire express or implied, written or oral including service in interstate commerce and service as an officer of a corporation [performed for remuneration or under any contract of hire express or implied written or oral]

(2) The term "Employment" shall include an individual's entire service performed within or both within and without this Commonwealth if

(A) The service is localized within this Commonwealth or

(B) The service is not localized in any state but some of the service is performed within this Commonwealth and (a) the base for operations or place from which such service is directed or controlled is in this Commonwealth or (b) the base for operations or place from which such service is directed or controlled is not in any state in which some part of this service is performed but the individual's resident is in this Commonwealth. Service shall be deemed to be localized within this Commonwealth if (a) the service is performed entirely within this Commonwealth or (b) the service is performed both within and without this Commonwealth but the service performed without this Commonwealth is incidental to the individual's service within this Commonwealth as for example where it is temporary or transitory in nature or consists of isolated transactions. Services performed without this Commonwealth shall not be included within the term "Employment" if contributions are required and paid with respect to such services under an unemployment compensation law of any other state

[An individual performing services for remuneration as an employment subject to this act shall be deemed to be performing such services for wages] Services performed by an individual for wages shall be deemed to be employment subject to this act unless and until it is shown to the satisfaction of the department that (a) such individual has been and will continue to be free from control or direction over the performance of such services both under his contract of service and in fact and (b) [that such service is either outside the usual course of the business for which such service is performed or that such service is performed outside of all the places of business of the enterprise for which such

service is performed and (c) that] as to such services such individual is customarily engaged in an independently established trade occupation profession or business

(3) "Employment" shall also include

(A) Services covered by an election pursuant to section 4 (j) of this act and

(B) Services covered by an arrangement pursuant to section 312 of this act between the department and the agency of any other state of Federal Unemployment Compensation Law pursuant to which all services performed by an individual for an employing unit are deemed to be performed entirely within this State shall be deemed to be employment if the department has approved an election of an employing entity for whom such services are performed pursuant to which the entire service of such individual during the period covered by such election is deemed to be employment

(C) Notwithstanding any other provisions of section four (1) an individual's entire service as an officer or member of a crew of an American vessel wherever performed and whether in intrastate or interstate or foreign commerce if the employer maintains within this state the operating office from which the operations of the American vessel in respect to which such services are performed are ordinarily and regularly managed supervised and controlled

(4) The word "employment" shall not include

(1) Agricultural labor which shall include all services performed

(a) On a farm in the employ of any person in connection with cultivating the soil or in connection with raising or harvesting any agricultural or horticultural commodity including the raising shearing feeding caring for training and management of livestock bees poultry and fur-bearing animals and wildlife

(b) In the employ of the owner or tenant or other operator of a farm in connection with the operation management conservation improvement or maintenance of such farm and its tools and equipment or in salvaging timber or clearing land of brush and other debris left by a hurricane if the major part of such service is performed on a farm

(c) In connection with the production or harvesting of maple syrup or maple sugar or any agricultural commodity or in connection with the raising or harvesting of mushrooms or in connection with the hatching of poultry or in connection with the ginning of cotton or in connection with the operation or maintenance of ditches canals reservoirs or waterways used exclusively for supplying and storing water for farming purposes

(d) In handling planting drying packing packaging processing freezing grading storing or delivering to storage or to market or to a carrier for transportation to market any agricultural or horticultural commodity but only if such service is performed as an incident to ordinary farming operations or in the case of fruits and vegetables as an incident to the preparation of such fruits or vegetables for market. The provisions of this paragraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption

As used in this subsection the term "farm" includes stock dairy poultry fruit fur-bearing animal and truck farms plantations ranches nurseries ranges greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities and orchards

(2) Casual labor not in course of employer's trade or business and domestic service in a private home local college club or local chapter of a college fraternity or sorority

(3) Service performed as an officer or member of the crew of a vessel not an American vessel

(4) Service performed by an individual in the employ of his son daughter or spouse and service performed by a child under the age of twenty-one (21) in the employ of his father or mother

(5) Service performed in the employ of the United States Government or of an instrumentality of the United States exempt under the Constitution of the United States from the contributions imposed by this act except that to the extent that the Congress of the United States shall permit states to require any instrumentalities of the United States to make payments into an unemployment fund under a state unemployment compensation law all of the provisions of this act shall be applicable to such instrumentalities in the same manner to the same extent and on the same terms as to all other employers. In the event that this State shall not be certified for any year by the Social Security Board under section one thousand six hundred three (c) of the Federal Internal Revenue Code the payments required of such instrumentalities with respect to such year shall be refunded by the department from the fund in the same manner and within the same period as is provided in section three hundred eleven of this act with respect to contributions erroneously collected.

(6) Service performed in the employ of a state a political subdivision thereof or an instrumentality of one or more states or political subdivisions.

(7) Service performed in the employ of [a corporation community chest fund or foundation organized and] an organization operated exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation.

(8) Service performed after June thirtieth one thousand nine hundred and thirty-nine either as an employee representative or service performed in the employ of an employer when such employee representative or employer is determined to be subject to the Act of Congress known as the Railroad Unemployment Insurance Act (52 U S Stat 1094) or to an Act of Congress establishing an unemployment compensation system for maritime employees by the agency or agencies empowered to make such determinations.

(9) Service performed in any calendar quarter in the employ of an organization exempt from income tax under Section 101 of the Federal Internal Revenue Code as amended if (i) the remuneration for such service does not exceed forty-five dollars or (ii) such service is in connection with the collection of dues or premiums for a fraternal beneficiary society order or association and is performed away from the home office or is ritualistic service in connection with any such society order or association or (iii) such service is performed by a student who is enrolled and is regularly attending classes at a school college or university.

(10) Service performed in the employ of an agricultural or horticultural organization exempt from income tax under Section 101 (1) of the Federal Internal Revenue Code as amended.

(1) Service performed in the employ of a voluntary employees' beneficiary association providing for the payment of life sick accident or other benefits to the members of such association or their dependents if (i) no part of its net earnings inures (other than through such payments) to the benefit of any private shareholder or individual and (ii) eighty-five per centum or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses.

(12) Service performed in the employ of a voluntary employees' beneficiary association providing for the payment of life sick accident or other benefits to the members of such association or their dependents or their designated beneficiaries if (i) admission to membership in such association is limited to individuals who are officers or employees of the United States Government and (ii) no part of the net earnings of such association inures (other than through such payments) to the benefits of any private shareholder or individual.

(13) Service performed in any calendar quarter in the employ of a school college or university not exempt from income tax under Section 101 of the Internal Revenue Code as amended if such service is performed by a student who is enrolled and is regularly attending classes at such school college or university and the remuneration for such service does not exceed forty-five dollars (exclusive of room board and tuition).

(14) Service performed in the employ of a foreign government (including service as a consular or other office or employee or a non-diplomatic representative).

(15) Service performed in the employ of an instrumentality wholly owned by a foreign government (i) if the service is of a character similar to that performed in foreign countries by employees of the United States Government or of an instrumentality thereof and (ii) if the Secretary of State of the United States shall certify to the Secretary of the Treasury of the United States that the foreign government with respect to whose instrumentality exemption is claimed grants an equivalent exemption with respect to similar service performed in the foreign country by employees of the United States Government and of instrumentalities thereof.

(16) Service performed as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to the laws of this Commonwealth and service performed as an interne in the employ of a hospital by an individual who has completed a four years' course in a medical school chartered or approved pursuant to the laws of this Commonwealth.

(17) Service performed by an individual for an employer as an insurance agent or real estate salesman or as an insurance solicitor or as a real estate broker or as a solicitor of applications for or salesman of shares or certificates issued by an investment company or as an agent of an investment company if all such service performed by such individual for such employer is performed for remuneration solely by way of commission or services performed by an individual as an unsalaried correspondent for a newspaper who receives no compensation or compensation only for copy accepted for publication.

(18) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news not including delivery or distribution to any point for subsequent delivery or distribution.

(19) Service covered by an arrangement between the department and the agency charged with the administration of any other state or Federal Unemployment Compensation Law pursuant to which all services performed by an individual for an employing entity during the period covered by such employing unit's duly approved election are deemed to be performed entirely within such agency's state or under such Federal law.

(5) If the services performed during one-half or more of any pay period by an employee for the person employing him constitute employment all the services of such employee for such period shall be deemed to be employment but if the services performed during more than one-half of any such pay period by an employee for the person employing him do not constitute employment then none of the services of such employee for such period shall be deemed to be employment. As used in this paragraph the term "pay period" means a period (of not more than thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employee by the person employing him. This subsection shall not be applicable with respect to services performed in a pay period by an employee for the person employing him where any of such service is excepted by paragraph (8) of subsection (L) (4) of this section.

(6) Notwithstanding any of the other provisions of section four (L) services shall be deemed to be in employment if with respect to such services a tax is required to be paid under any Federal law imposing a tax against which credit may be taken for contributions

required to be paid into a State Unemployment Compensation Fund

(m) "Employment Office" means a public employment office or branch thereof operated by the department or by any other state or by the Federal Government under agreement with the department

(n) "Referee" means a referee appointed to hear appeals under this act

(o) "Secretary" means the Secretary of Labor and Industry of this Commonwealth or his duly authorized representative

(p) "Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several States to make more adequate provision for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security board to raise revenue and for other purposes" as amended

(q) "Social Security Board" means the Social Security board established by the Social Security Act or such other agency or agencies of the United States to which the authority of the Social Security Board may be transferred

(r) "State" includes Alaska Hawaii and the District of Columbia

(s) "State Experience" means a percentage obtained by dividing the total amount of compensation paid from the unemployment compensation fund less any refunds (including the repayment and recovery of compensation erroneously paid) made to such fund during the first twelve (12) of the last fourteen (14) completed calendar quarters immediately preceding the calendar year which includes the calendar quarter to which the contribution rate is applicable by the total wages of all compensated employees as defined in subsection (y) of this section for such twelve (12) calendar quarters such percentage to be adjusted to the nearest multiple of one per centum

(t) "Suitable Work" means all work which the employee is capable of performing In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness prior training and experience and the distance of the available work from his residence The department shall also consider among other factors the length of time he has been unemployed and the reasons therefor the prospect of obtaining local work in his customary occupation his previous earnings the prevailing condition of the labor market generally and particularly in his usual trade or occupation prevailing wage rates in his usual trade or occupation and the permanency of his residence However notwithstanding any other provisions of this subsection no work shall be deemed suitable in which (1) the position offered is vacant due directly to a strike lockout or other labor dispute or (2) the remuneration hours or other conditions of the work offered are substantially less favorable to the employee than those prevailing for similar work in the locality or (3) as a condition of being employed the employee would be required to join a company union or to resign from or refrain from joining any bona fide labor organization

(u) "Unemployment" An individual shall be deemed unemployed with respect to any week during which he performs no services and with respect to which no remuneration is paid or payable to him or with respect to any week of less than his full-time work if the remuneration paid or payable to him with respect to such week is less than his weekly benefit rate Provided That for the purposes of this subsection (i) vacation pay and similar payments whether or not legally required to be paid and (ii) wages in lieu of notice separation allowances dismissal wages and similar payments which are legally required to be paid shall be deemed in accordance with rules and regulations of the department remuneration paid

or payable with respect to the week or weeks for which such payments are made

(v) "Unemployment Trust Fund" means the Unemployment Trust Fund established by the Social Security Act

(w) A "Valid Application for Benets" means an application for benets on a form prescribed by the department which is filed by an individual as of a day not included in the benefit year previously established by such individual who is qualified under the provisions of Section four hundred and one (a)

(x) "Wages" means all remuneration [for employment] (including the cash value of mediums of payment other than cash) paid by an employer to an individual with respect to [all services performed subsequent to December thirty-first one thousand nine hundred and forty-one and paid or payable with respect to all services performed prior to January first one thousand nine hundred and forty-two] his employment except that the term "wages" shall not include

(1) The part of the remuneration which [after remuneration equal to] is in excess of the first three thousand dollars (\$3000) [has been] paid to an individual by [an employer with respect to employment during any calendar year is paid to such individual by such employer with respect to employment during the calendar year one thousand nine hundred forty and during each calendar year thereafter to and including the calendar year one thousand nine hundred forty-six and that part of remuneration which after remuneration equal to three thousand dollars (\$3000) with respect to employment after the thirty-first day of December one thousand nine hundred thirty-nine has been paid to an individual by an employer during any calendar year after the thirty-first day of December one thousand nine hundred forty-six is paid to such individual by such employer during such calendar year] each of his employers during a calendar year Provided That an employer may take credit under this subsection for remuneration which he has paid to an individual in the same calendar year on which contributions have been required and paid by such employer under an unemployment compensation law of another state but no such credit may be taken for remuneration which has been paid by another employer to such individual whether or not contributions have been paid thereon by such other employer under this act or under any state unemployment compensation law Remuneration in excess of three thousand dollars (\$3000) excluded from the definition of wages under the provisions of this subsection may not be considered in determining the compensation rights of any individual under this act and in determining such rights the first three thousand dollars (\$3000) of remuneration on which contributions are payable shall be considered as paid only in the calendar quarter or quarters in which such amount was actually paid

(2) The amount of any payment made to or on behalf of an employee under a plan or system established by an employer which makes provisions for his employees generally or for a class or classes of his employees (including any amount paid by an employer for insurance or annuities or into a fund to provide for any such payment) on account of (A) retirement or (B) sickness or accident disability or (C) medical and hospitalization expenses in connection with sickness or accident disability or (D) death provided the employee (I) has not the option to receive instead of provision for such death benefit any part of such payment or if such death benefit is insured any part of the premiums (or contributions to premiums) paid by his employer and (II) has not the right under the provisions of the plan or system or policy of insurance providing for such death benefit to assign such benefit or to receive a cash consideration in lieu of such benefit either upon his withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his employment with such employer

(3) The payment by an employer (without deduction from remuneration of the employee) of the tax imposed

upon an employe under section one thousand four hundred (1400) of the Federal Internal Revenue Code

(4) Dismissal payments which the employer is not legally required to make

(5) Payments made by an employer to employes while in the military or naval service of the United States and performing no service for the employer

(6) Notwithstanding any other provisions of this subsection wages shall include all remuneration for services with respect to which a tax is required to be paid under any Federal law imposing a tax against which credit may be taken for contributions to be paid into a State unemployment fund

(z) "Week" means any calendar week ending at midnight Saturday or the equivalent thereof as determined in accordance with general rules adopted by the department

(z.1) "American Vessel" means any vessel documented and numbered under the laws of the United States including any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country if its crew is employed solely by one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any state

(z.2) "Shipping Articles" means "Articles of Agreement" purporting to comply with section five hundred sixty-four of Title forty-six of the United States Code or any other agreement under which officers or members of the crew are employed on the high seas and under which they are not entitled to a final settlement of wages until the termination of the period of the employment

Section 2 Subsection (e) of section two hundred three of said act as amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby further amended to read as follows

Section 203 Unemployment Compensation Board of Review

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(e) The Governor shall appoint and fix the compensation of such referees as may be deemed necessary with power to take testimony in any appeals coming before the board Such appointment shall be subject to the provisions of the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 752) [Provided That any person who on the first day of April one thousand nine hundred and forty-five was employed as a referee may make application to the Civil Service Commission prior to the first day of July one thousand nine hundred and forty-five for appointment as a referee under the regular classified service and notwithstanding any provisions of said act or any other act to the contrary upon finding by said commission that he or she possesses the minimum qualifications therefor shall be so appointed Any other person appointed as referee subsequent to the first day of April one thousand nine hundred and forty-five shall be appointed only in the manner provided in said act for employes in the classified service]

Section 3 Section two hundred four of said act as amended by the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 60) is hereby further amended to read as follows

Section 204 Advisory Councils There is hereby created a State Advisory Council to be composed of men and women with an equal number of employer employe and public representatives who may fairly be representative because of their vocation employment or affiliations The members of such council shall be appointed by the Governor within thirty days of the passage of these amendments and shall serve until their successors have been appointed and qualified the members of the council shall select one of their number to be chairman The secretary shall be an ex-officio member of the council Such council shall consider and advise the department upon all matters related to the administration of this act including the formulation of policies assuring impartiality and freedom from political influence in its administration taking steps to reduce and prevent unemployment and making studies relating to unemployment and unemployment compensation payments Such council may recommend to the Gov-

ernor upon its own initiative such changes in the [administration] provisions of this act and in the administration thereof as it deems necessary and shall make periodic reports to the Governor regarding the performance of its duties and functions Such council shall have full access to information relating to the purpose of this act

The Governor shall have the power to create such local advisory councils as the State Advisory Council may deem necessary for the efficient performance of its functions Such councils shall be composed of an equal number of members representing employers employes and the public and shall be appointed by the Governor

The members of such advisory councils shall serve without compensation but shall be entitled to be reimbursed out of the Administration Fund for all necessary expenses incurred in the discharge of their duties

The [State Advisory Council may] secretary shall appoint an executive secretary and [a research assistant] such other personnel as he shall deem necessary to aid the council in the performance of its functions [They may be appointed in the exempt class of civil service and may be removed and replaced at the discretion of the council] Such employes shall receive such compensation as may be fixed by the council and approved by the executive board and shall be allowed actual and necessary traveling and other incidental expenses incurred while engaged in the performance of their duties] The compensation of such employes and the amounts allowed them for traveling and other incidental expenses shall be deemed part of the expenses incurred in connection with the administration of this section and shall be disbursed from the Unemployment Administration Fund

[The department in cooperation with the advisory council may and at the request of the advisory council shall make a study of the effect of experience rating on employers in Pennsylvania and shall first report its findings and recommendations in writing to the Governor and thereafter to the General Assembly at its regular session in one thousand nine hundred and forty-three or at the first session thereafter if the study has not been completed in time for submission to the regular session of 1943]

Section 4 Section two hundred five of said act is hereby amended to read as follows

Section 205 Stabilization of Employment Partial and Seasonal Unemployments The department shall take appropriate steps to (a) reduce and prevent unemployment (b) encourage and assist in the adoption of practical methods of vocational training and guidance (c) investigate recommend advise and assist in the establishment by political subdivisions of reserves for public works to be used in times of business depression and unemployment and (d) promote the reemployment of unemployed workers [(e) make studies of partial unemployment and recommendations in respect to provisions for the payment of compensation for partial unemployment and (f) make studies of seasonal unemployment and recommendation in respect to provisions for seasonal industries under this system of unemployment compensation]

Copies of all such studies and recommendations shall be transmitted to the Governor]

Section 5 Section two hundred six of said act as amended by the act approved the twenty-seventh day of March one thousand nine hundred forty-seven (P. L. 43) is hereby further amended to read as follows

Section 206 Records of and Reports by Employer Each employer (whether or not liable for the payment of contributions under this act) shall keep accurate employment records containing such information as may be prescribed by the rules and regulations adopted by the department Such records shall be open to inspection by the department and its agents at any reasonable time and as often as may be deemed necessary but employers need not retain such records more than four (4) years after contributions relating to such records have been paid The department may require from such employers such reports as it deems necessary which shall be sworn to if required by the department

Information thus obtained shall not be made public

be open for public inspection other than to the members of the board the officers and employees of the department and other public employees in the performance of their public duties but any employee or employer at a hearing on an appeal shall upon request be supplied with information from such records to the extent necessary for the proper presentation and consideration of the appeal.

Any officer or employee of the department or the board or any other public employee who shall violate any of the provisions of this section shall upon conviction thereof in summary proceeding be sentenced to pay a fine of not less than twenty nor more than two hundred dollars and a default of the payment of such fine and cost of prosecution shall be sentenced to imprisonment for not longer than thirty days.

Any employer who has been determined by the department to be subject to the reporting provisions of this act and has been so notified and who neglects or refuses to file or to complete in such manner as the department may prescribe either the periodic report required by the department to establish the amount of such contributions or the periodic report required by the department showing the amount of wages paid to each employee or both on or before the date such reports are required to be filed shall pay a penalty of [five dollars (\$5) one hundred (100) per centum of the total amount of contributions paid or payable by the employer for the period. Provided That such penalty shall be not less than one dollar (\$1.00) or more than five dollars (\$5.00). Such penalty shall apply to the reports for each period with respect to which such reports are required to be filed. Provided That such penalty shall not apply to reports for any period with respect to which the last day for filing such reports is prior to a date on which the department has notified the employer that he has been determined an employer subject to the reporting provisions of this act unless the reports for such prior periods are not filed within thirty days after the employer has been so notified. The penalties provided by this section shall be in addition to all other penalties provided for in this act.

Section 6 Subsection (c) of section three hundred four of said act as added by the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 726) is hereby amended to read as follows:

Section 304 Reports by Employers Assessments

\*\*\*  
(c) Any petitioner dissatisfied with the action of the department on his petition for re-assessment may appeal therefrom to the Court of Common Pleas of Dauphin County within thirty days after being notified of the action of the department. Such appeal to the court shall be by petition verified by oath and shall specify all the objections to such assessment or re-assessment and any objections not specified in the petition shall not be considered by the Court. A copy of such petition shall be served on the secretary or his deputy.

Section 7 Section three hundred eight point one of said act as added by the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 726) and amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 745) is hereby further amended to read as follows:

Section 308.1 Contributions to be Liens Entry Thereof All contributions and the interest and penalties thereon are and payable by an employer under the provisions of this act shall be a lien upon the franchises and property both real and personal of the employer liable therefor from the date a lien for such contributions interest and penalties is entered of record in the manner hereinafter provided. Whenever the franchises or property of an employer is sold at a judicial sale all contributions and the interest and penalties thereon thus entered of record shall be allowed and paid out of the proceeds of such sale in the same manner and to the same extent that State taxes are paid. Provided however That the lien hereby created shall not be prior to pre-existing duly recorded real estate mortgages. The department may at any time transmit to the prothonotaries of the respective counties

of the Commonwealth to be by them entered of record certified copies of all liens for unpaid contributions interest and penalties which may now exist or hereafter arise upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed. No prothonotary shall require as a condition precedent to the entry of such liens the payment of the cost incident thereto.

Section 8 Subsections (c) and (d) of section three hundred twelve of said act as added by the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 726) and subsection (d) as amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 726) are hereby further amended to read as follows:

Section 312 Reciprocal Agreements The department is hereby authorized to enter into reciprocal arrangements with appropriate and duly authorized agencies of other states or of the Federal Government or both whereby

\*\*\*  
(c) Wages or services upon the basis of which an individual may become entitled to benefits under an unemployment compensation law of another state or of the Federal Government shall be deemed to be wages for employment for the purpose of determining his rights to benefits under this act and wages for employment as defined in this act on the basis of which an individual may become entitled to benefits under this act shall be deemed to be wages or services on the basis of which unemployment compensation under such law of another state or of the Federal Government is payable but no such arrangement shall be entered into unless it contains provisions for reimbursements from the fund for such of the compensation paid under such other law upon the basis of wages for employment as defined in this act as the department finds will be fair and reasonable as to all affected interests [and]

(d) Contributions due under this act with respect to wages for employment shall for the purpose of section three hundred one of this act be deemed to have been paid to the fund as of the date payment was made as contributions therefor under another state or Federal unemployment compensation law but no such arrangement shall be entered into unless it contains provisions for reimbursement to the fund of such contributions or an amount equal to such contributions less any benefits which may have been paid by such other state based upon such contributions. Such arrangement may provide for the transfer of interest earned on such contributions while credited to the state to which they were erroneously paid.

Reimbursements paid from the fund pursuant to paragraph (c) of this section shall be deemed to be benefits for all the purposes of this act. The department is authorized to make to other state or Federal agencies and to receive from such other state or Federal agencies reimbursements from or to the fund in accordance with arrangements entered into pursuant to this section.

The administration of this act and of other state and Federal unemployment compensation and public employment service laws will be promoted by cooperation between this State and such other states and the appropriate Federal agencies in exchanging services and making available facilities and information. The department is therefore authorized to make such investigations secure and transmit such information make available such services and facilities and exercise such of the other powers provided herein with respect to the administration of this act as it deems necessary or appropriate to facilitate the administration of any such unemployment compensation or public employment service law and in like manner to accept and utilize information services and facilities made available to this State by the agency charged with the administration of any such other unemployment compensation or public employment service law.

To the extent permissible under the laws and Constitution of the United States the department is authorized to enter into or cooperate in arrangements whereby facilities and services provided under this act and facilities

and services provided under the unemployment compensation law of any foreign government may be utilized for the taking of claims and the payment of benefits under the employment security laws of this State or under a similar law of such government and

\* \* \* \* \*

Section 9 Section three hundred thirteen of said act as added by the act approved the ninth day of July one thousand nine hundred forty-seven (P. L. 1469) is hereby repealed

Section 10 Section four hundred one of said act as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby further amended to read as follows

Section 401 Qualifications Required to Secure Compensation Compensation shall be payable to any employee who is or becomes unemployed [except that payment with respect to weeks ending subsequent to the sixth day of June one thousand nine hundred and forty-five and prior to the first day of January one thousand nine hundred and forty-six shall be made only for weeks of total unemployment as provided in section four hundred and four (c)] and who

(a) Has within his base year been paid wages for employment equal to not less than thirty (30) times his weekly benefit rate

(b) Has registered for work at and thereafter continued to report at an employment office in accordance with such regulations as the secretary may prescribe except that the secretary may by regulation waive or alter either or both of the requirements of this clause as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which he finds that compliance with such requirements would be oppressive or would be inconsistent with the purposes of the act Provided however That no such regulation shall conflict with section four hundred and one (c) of this act

(c) Has made a valid application for benefits with respect to the benefit year for which compensation is claimed and has made a claim for compensation in the proper manner and on the form prescribed by the department

(d) Is able to work and available for suitable work and

(e) Has been unemployed for a waiting period of one week

No week shall be counted as a week of unemployment for the purposes of this subsection (1) unless it occurs within the benefit year which includes the week with respect to which such employee claims compensation or (2) if compensation has been paid or is payable with respect thereto or (3) unless the employee was eligible for compensation with respect thereto under all other provisions of this section and was not disqualified with respect thereto under Section 402 (a) (b) (d) (e) and (f)

Section 11 Section four hundred two of said act as last amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1186) is hereby further amended to read as follows

Section 402 Ineligibility for Compensation An employee shall be ineligible for compensation for any week

(a) In which his unemployment is due to failure without good cause either to apply for suitable work at such time and in such manner as the department may prescribe or to accept suitable work when offered to him by the employment office or by any employer Provided That such employer simultaneously notifies the employment office of such offer

(b) In which his unemployment is due to voluntarily leaving work without good cause Provided That no employee shall be deemed to be ineligible under this subsection where as a condition in continuing in employment such employee would be required to join or remain a member of a company union or to resign from or refrain from joining any bona fide labor organization or to accept wages hours or conditions of employment not desired by a majority of the employees in the establishment or the occupation or would be denied the right of collective bargaining under generally prevailing conditions and that in determining whether or not an employee has left his work voluntarily without good cause the department shall

give consideration to the same factors in so far as they are applicable provided with respect to the determination of suitable work under section four (t) And provided further That the provisions of this subsection shall not apply in the event of a stoppage of work which exists because of a labor dispute within the meaning of subsection (d)

(c) With respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States Provided That if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits the disqualification shall not apply

(d) In which his unemployment is due to a stoppage of work which exists because of a labor dispute (other than a lock-out) at the factory establishment or other premises at which he is or was last employed Provided That this subsection shall not apply if it is shown that (1) he is not participating in or directly interested in the labor dispute which caused the stoppage of work and (2) he is not a member of an organization which is participating in or directly interested in the labor dispute which caused the stoppage of work and (3) he does not belong to a grade or class of workers of which immediately before the commencement of the stoppage there were members employed at the premises at which the stoppage occurs any of whom are participating in or directly interested in the dispute

(e) In which his unemployment is due to his discharge or temporary suspension from work for willful misconduct connected with his work and

(f) Which in whole or in part includes any part of the two-week period which immediately follows each period of employment under Shipping Articles

(g) Any part of which is included in the one-year period immediately following the date on which he is finally convicted of the illegal receipt of benefits under this act in any penal proceedings instituted against him under the provisions of this act or any other statute of the Commonwealth

Section 12 Article four of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 408 Limitation on the Validity of Claims Final payment of compensation claimed under the provisions of this act shall not be made more than two years from the last day of the week for which compensation is claimed if such final payment has not been made within such two-year period because the claimant (1) is reported by the postal authorities as "unknown" at the last address which the employee has given to the department (2) has failed to properly notify the department that he has not received the compensation claimed (3) has failed to have presented to the State Treasurer for final payment a check received in payment of the compensation claimed or (4) has failed to properly request the reissuance of a check which has become lost or destroyed or the validity date of which has expired Provided That one year has elapsed from the date the check was issued or if no check has been issued from the last date that the claimant requested payment The provisions of this section shall also apply to the endorser of any check issued in payment of compensation under the provisions of this act

Section 13 Subsection (e) of section five hundred one of said act as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby amended to read as follows

Section 501 Determination of Compensation Appeals

\* \* \* \* \*

(e) Unless the claimant or last employer or base-year employer of the claimant files an appeal with the board from the determination contained in any notice required to be furnished by the department under section five hundred and one (a) (c) and (d) within ten (10) calendar days after such notice was delivered to him personally or was mailed to his last known post office address and applies for a hearing such determination of the department with respect to the particular facts set forth in such notice shall be final and compensation shall be paid or denied in accordance therewith In the event that an

appeal is filed with the board the payment of any contested amount of compensation shall be withheld pending determination of the claim but any uncontested amount of compensation allowed in any decision shall be paid notwithstanding any appeal which may thereafter be taken. Provided That when [a referee or] the board affirms a decision of a referee or of the department allowing compensation such compensation shall be paid notwithstanding any further appeal. And provided further That when a referee affirms a decision of the department allowing compensation in the event of a further appeal to the board such compensation shall be paid after a period of thirty days from the date of such further appeal if the board has not rendered a decision prior thereto

Section 14 Section six hundred one of said act amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby further amended to read as follows

Section 601 Unemployment Compensation Fund There is hereby created a special fund separate and apart from all public moneys or funds of this Commonwealth to be known as the Unemployment Compensation Fund. All contributions together with penalties and interest thereon received or collected by the department from employers under the provisions of this act except such penalties and interest which are to be paid into the Special Administration Fund as provided in section six hundred one point one shall be paid into the Unemployment Compensation Fund and shall be credited by the department to a ledger account to be known as the Employers' Contribution Account interest and penalties which are to be credited to the special administration fund may be temporarily held in the Employers' Contribution Account solely for clearance purposes prior to transfer to the special administration fund and while so held in the Employers' Contribution Account shall not be deemed a part of the Unemployment Compensation Fund. All moneys from time to time received and credited to the Employers' Contribution Account (exclusive of refunds made under section three hundred eleven and interest and penalties transferred as herein provided to the Special Administration Fund) shall be paid promptly by the department into the Unemployment Trust Fund except as otherwise provided in section six hundred five of this act

As often as may be necessary the department shall requisition from the Unemployment Trust Fund such amounts as shall be necessary to provide adequate funds for the payment of compensation as provided in this act. Upon receipt of such requisitioned funds the department shall deposit them into the Unemployment Compensation Fund to the credit of a ledger account to be known as the compensation Account and shall expend such moneys solely for the payment of compensation as provided by this act. All moneys to the credit of the Compensation Account shall be mingled and undivided. The department shall pay all compensation authorized by this act out of moneys standing to the credit of the Compensation Account

Section 15 Section six hundred six of said act as added by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 458) is hereby repealed

Section 16 Section eight hundred four of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 717) is hereby further amended to read as follows

Section 804 Recovery and Recoupment of Compensation Any person who by reason of his fault has received any sum as compensation under this act to which he was not entitled shall be liable to repay to the Unemployment Compensation Fund to the credit of the [Employer's Contribution] Compensation Account a sum equal to the amount so received by him. Such sum shall be collectible (a) in the manner provided in this act for the collection of past contributions or (b) by deduction from any future compensation payable to the claimant under this act

Any person who other than by reason of his fault has received with respect to a benefit year any sum as compensation under this act to which he was not entitled shall

not be liable to repay such but shall be liable to have such sum deducted from any future compensation payable to him with respect to [the] such benefit year [current to or next succeeding the receipt thereof] or the one-year period immediately following such benefit year. Provided however That no recoupment from future compensation shall be had if such recoupment would be inequitable and unconscionable

The claimant and other affected parties shall be notified in writing of the department's determination to deduct any sum from future compensation under this section and such determination shall be subject to appeal in the manner provided in this act for appeals from determinations of compensation

Section 17 Section one thousand one of said act as added by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 458) is hereby repealed

Section 18 The provisions of this act shall become effective the first day of June one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Frost,	Limper,	Robbins,
Amarando,	Gaffney,	Loftus,	Robertson,
Andrews,	Gallagher,	Lovett,	Rose,
Bane,	George,	Madigan,	Rovasek,
Barkdoll,	Gibson,	McCormack,	Royer,
Baumunk,	Glembockl,	McCullough,	Sarra,
Beaver,	Good,	McGee,	Sax,
Bednarek,	Goodling,	McKinney,	Scanlon,
Blair,	Graybill,	McMillen,	Schmidt,
Bloom,	Green,	McNally,	Schuster,
Boles,	Greenwood,	Mihm,	Scott,
Bomberger,	Greer,	Mikula,	Seyler,
Boorse,	Guarnieri,	Miller,	Shoemaker,
Bower,	Guthrie,	Milliken,	Smith, C. C.,
Brandon,	Hagerty,	Mills,	Smith, W. B.,
Breisch,	Hall,	Mintess,	Snider,
Brth,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, Wm. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Buechin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Nagel,	Tahl,
Clendenning,	Hewitt,	Najaka,	Thompson,
Cochran,	Hocker,	Needham,	Tompkins,
Cole,	Hoffman,	Neff,	Toomey,
Coleman,	Hoggard,	Nixon,	Varallo,
Conway,	Hunter,	O'Dare,	Varnar,
Cooper,	Jenkins,	O'Donnell,	Verona,
Costa,	Jennings,	Olsen,	Wachhaus,
Dalrymple,	Jim,	Orban,	Wagner,
DeLong,	Johnson,	Penglase,	Wargo,
Dennison,	Jones, G. E.,	Pentrack,	Waterhouse,
Depuy,	Jones, J. M.,	Peta,	Watkins,
Dougherty,	Jump,	Petrosky,	Weidner,
Driscoll,	Kamyk,	Pettigrew,	Weiss,
Duffy,	Keller,	Pfaff,	Wescott,
Dye,	Kemp,	Polen,	Westrick,
Elder,	Kent,	Posta,	Wheeler,
Erb,	Kirley,	Powers,	Williams,
Evans,	Kline,	Price, H. W., Jr.,	Wood,
Ewing,	Kohl,	Price, R. A.,	Worley,
Felton,	Kolankiewicz,	Probert,	Yaffe,
Ferster,	Kondrath,	Readinger,	Yeakel,
Fillo,	Kratz,	Reagan,	Yester,
Firmstone,	Kurtz,	Reese,	Yetzer,
Flack,	Lederer,	Reldenbach,	Young,
Fleming,	Lee,	Reilly, J. M.,	Ziegler,
Floyd,	Lelsey,	Reynolds,	Sorg,
Fox,	Leonard,	Riley, R. L.,	Speaker
Frank,			

NAYS—3

Rosen,	Taylor,	Welsh,
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## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 372, entitled:

An Act to amend section four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by providing for initial inspection of boilers not inspected during construction

On the question,

Will the House agree to the bill on third reading?

## BILL DROPPED FROM CALENDAR

Mr. ROBERTSON. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 524, as follows:

An Act to amend sections one thousand four hundred twenty-nine and two thousand five hundred five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by setting forth the qualifications of certain school nurses requiring their certification and providing for reimbursement on account of school nurses in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand four hundred twenty-nine and two thousand five hundred five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1429 School Nurses Cooperation With Political Subdivisions Any board of school directors or boards of school directors jointly shall employ one or more school nurses and shall define their duties All nurses so employed shall be graduates of accredited training schools for nurses "certificated by the Department of Public Instruction as school nurses and shall be registered in this Commonwealth with the State Board of Examiners for the Registration of Nurses Any school district may in any health work in which it is authorized to engage cooperate with any county city borough town or township engaged in health work Any school registered nurse legally employed as such in the public school system of the Commonwealth as of the first day of July one thousand nine hundred forty-seven shall have the same status as any other professional employe and shall not be required to have the educational qualifications hereinbefore prescribed

All such nurse employes shall be certificated permanently as school nurses by the Department of Public Instruction

Section 2505 Payments on account of school nurses Every school district and every vocational school district shall be paid by the Commonwealth for every school year on account of the employment of properly certified school nurses an amount equal to one reimbursement unit for each nurse having the care of fifteen hundred or more pupils in average daily membership in the districts' public schools and for each nurse having the care of less than fifteen hundred such pupils the fractional part of one reimbursement unit equal to the number of such pupils under her care divided by fifteen hundred the reimbursement provided for by this section shall be paid by the Department of Health out of any money appropriated to said department for administering the provisions of article fourteen of this act where school districts of the first class employ nurses of the Department of Public Health of the city in which the school district is located who are certificated as school nurses reimbursement shall be subject to recommendation by the Department of Public Instruction

Section 2 The provisions of this act as well as the provisions of the sections amended thereby shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heathersington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,

Floyd, Fox, Frank,	Leisey, Leonard, Limper.	Riley, R. L., Robbins, Robertson,	Ziegler, Sorg, Speaker
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NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 529, as follows:

An Act to further amend section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 1917) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by authorizing the county commissioners during the last fifteen days of any fiscal year to transfer and reappropriate any institution district funds to the General County Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 1917) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the laws relating to the care of the poor and repealing existing laws" as last amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 238) is hereby further amended to read as follows

Section 309 Budget and Financial Requirements The commissioners of every county institution district shall annually at least thirty days prior to the adoption of the annual budget prepare a proposed budget of the amount of funds that will be required by the district in its several

departments for the ensuing fiscal year Such proposed budget shall be prepared on a uniform form prepared and furnished as provided in this act and shall be apportioned to the several classes of expenditures of the district as the commissioners may determine Final action shall not be taken on any proposed budget until after at least ten days' public notice The proposed budget shall be published or otherwise made available for public inspection at least twenty days prior to the date set for the adoption of the budget The commissioners after making such revisions and changes therein as appear advisable shall adopt the budget and the necessary appropriation measures required to put it into effect Within fifteen days after the adoption of the budget the commissioners shall file a copy of the same in the office of the Department of Internal Affairs

The commissioners may at any time by resolution make a supplemental appropriation for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated including the proceeds of any borrowing now or hereafter authorized by law

The commissioners shall have power to authorize the transfer within the same fund of any unencumbered balances or any portion thereof from one spending agency to another but such action shall be taken only during the last nine months of the fiscal year During the last fifteen days of any fiscal year the county commissioners shall have the power to authorize the transfer of any unencumbered balance or any portion thereof from any institution district fund to any county fund and to reappropriate such moneys to the county

No work shall be hired to be done no materials purchased no contracts made and no order issued for the payment of any moneys by the commissioners in any amount which will cause the sums appropriated to specific purposes to be exceeded

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,

Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reilly, J. M.,	Yester,
Flack,	Lederer,	Riley, R. L.,	Yetzer,
Fleming,	Lee,	Reidenbach,	Young,
Floyd,	Leisey,	Reynolds,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 532, as follows:

An Act to further amend the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by providing for the establishment of anthracite mine inspection districts the assignment of inspectors and their duties and operators' reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of article two of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as last amended by the act approved the fifth day of May one thousand nine hundred eleven (P. L. 120) is hereby further amended to read as follows

Section 1 The [counties of Luzerne Lackawanna Sullivan Susquehanna Wayne Carbon Schuylkill Northumberland Columbia and Dauphin] anthracite region shall from time to time be [divided] arranged by the Secretary of Mines into [eight] [as follows] and he shall assign mine inspectors to their duties Provided That the number of anthracite mine inspectors shall not exceed thirty (30)

Section 2 Section two of article two of said act as amended by the act approved the fifth day of May one thousand nine hundred eleven (P. L. 120) is hereby repealed

Section 3 Section seven of article two of said act as added by the act approved the eighth day of June one thousand nine hundred one (P. L. 535) and amended by the act approved the first day of June one thousand nine hundred fifteen (P. L. 648) is hereby repealed

Section 4 Section twelve of article two of said act as amended by the act approved the eighth day of June one thousand nine hundred one (P. L. 535) is hereby repealed

Section 5 Section fifteen of article two of said act as amended by the act approved the third day of May one thousand nine hundred five (P. L. 363) is hereby further amended to read as follows

Section 15 [Each of said inspectors shall reside in the district for which he is elected and shall give his] the inspectors shall devote their whole time and undivided attention and efforts to the duties of [his] their office [He]

They shall examine all the collieries in [his] their district at least once every three months and as often in addition thereto as the Secretary of Mines may direct or the necessities of the case or the condition of the mines require [He] they shall see that every necessary precaution is taken to secure the safety of the workmen and that the provisions of this act are observed and obeyed and [he] they shall personally visit each working-face and see that the air-current is carried to the working-faces and is of sufficient quantity or volume to thoroughly ventilate the places [He] they shall [every four months] within fifteen (15) days after the quarterly inspection make a report of the condition of each working-face in each colliery on a form to be furnished to the inspectors by the [Chief of the Department] secretary of mines [and Mining] designating the gangway in which the working is situated and the breast number of said working and their condition shall be designated by the words good fair or bad as the circumstances may warrant and a duplicate of the said report [or a duplicate] shall be immediately mailed to the operator and by him at once placed in a weather or dustproof case with a glass front [said case to be] furnished by the operator and placed in a conspicuous place at each mine opening shaft slope or drift so that the workmen have easy access thereto [He] They shall certify in said report that the employes are hoisted to the surface of the ground or given access thereto according to law [he] they shall attend every inquest held by the coroner or his deputy upon the bodies of persons killed in or about the collieries in [his] their district [he] they shall visit the scene of the accident for the purpose of making an examination into the particulars of the same wherever loss of life or serious personal injury occurs as elsewhere herein provided for and make an annual report of [his] their proceedings to the [Chief of the Department] Secretary of Mines [of the Commonwealth] at the close of every year enumerating all the accidents in and about the collieries in [his] their district marking in tabular form those accidents causing death or serious personal injury the condition of the workings of the said mines with regard to the safety of the workmen therein and the ventilation thereof and the results generally shall be fully set forth and such other duties as now are or hereafter may be required by law or the Secretary of Mines

Section 6 Section three of article fourteen of said act is hereby amended to read as follows

Section 3 On or before the fifteenth day of every month the owner operator or superintendent of every mine or colliery shall with respect to the previous month send by mail to the inspector of the district on a form to be prescribed and furnished by the Department of Mines a report of the quantity of coal mined or produced and the man hours worked On or before the first day of February in each year the owner operator or superintendent of every mine or colliery shall send to the Inspector of the district a correct report specifying with respect to the year ending December thirty-first previously the name of the operator and officials of the mine with [his] their post-office [address] addresses the quantity of coal mined the amount of powder or other explosives consumed and the number of persons employed above and below ground in or about such colliery classifying the persons so employed The report shall be in such form as may be from time to time prescribed by the [Inspector of the district] Department of Mines Blank forms for said report shall be furnished by the Commonwealth

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsach,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	
Fox,	Leonard,	Robbins,	
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 535, as follows:

An Act to amend Rule fifty-four of Article twelve of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by providing for the posting of said act in pamphlet form at or near a mine or colliery. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Rule fifty-four of Article twelve of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide

for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

## Article XII

## General Rules

The following general rules shall be observed in every mine to which this act applies

\* \* \* \* \*

Rule 54 For the purpose of making known the rules and the provisions of this act to all persons employed in or about such mine or colliery to which this act applies [an abstract of the act and rules] a copy of the law in pamphlet form shall be posted [up in legible characters] in some conspicuous place or places at or near the mine or colliery where [they] it may be conveniently read by the persons employed and so often as the same becomes obliterated or destroyed the owner operator or superintendent shall cause [them] it to be renewed with all reasonable dispatch Any person who pulls down injures or defaces such [abstract of the act or rules] copy of the law when posted up in pursuance to the provisions of this act shall be guilty of an offense against this act

Section 2 The provisions of this act shall become effective thirty days after final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsach,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,

Floyd,  
Fox,  
Frank

Lelsey,  
Leonard,  
Limper.

Riley, R. L.,  
Robbins,  
Robertson,

Ziegler,  
Sorg,  
Speaker

# NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 563, as follows:

An Act to further amend sections one thousand eight hundred four and one thousand eight hundred nine of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further regulating the adoption and alteration of budgets

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand eight hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as last amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 235) is hereby further amended to read as follows

Section 1804 Regulations Concerning Appropriation No debt shall be created by any department of the city except in pursuance of previous authority of law ordinance or resolution No money shall be paid out of the city treasury except upon appropriation made according to law and on warrant drawn by the proper officer in pursuance thereof No work shall be hired to be done no materials purchased no contracts made and no order issued for the payment of any moneys in any amount which will cause the sums appropriated to specific purposes to be exceeded In every case in which an appropriation shall be exhausted and the object of which is not completed the director of accounts and finance shall immediately report the fact to the city council and accompany such report with a statement of the moneys which have been drawn on such appropriation and the particular purpose for which they were drawn The council may at any time by ordinance make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not appropriated to any other purpose including the proceeds of any borrowing now or hereafter authorized by law The council shall have the power to authorize the transfer within the same fund of any unexpended balance or any portion thereof from one spending agency to another but such action shall be taken only on the recommendation of a director of one of the departments and only during the last nine months of the fiscal year

When a transfer of over five per cent of an appropriation item is made within a fund or when a transfer of over five per cent of the total appropriation to a fund is made from said fund to another fund an affirmative vote of four members of the council shall be required

Section 2 Section one thousand eight hundred nine of said act as amended by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1180) is hereby further amended to read as follows

Section 1809 Annual Budget The director of accounts and finance shall at the first stated meeting in December

in each year or at least thirty days prior to the adoption of the annual budget present to council a proposed budget for all funds showing the estimated receipts expenditures and liabilities of every kind for the ensuing year with the balance of unexpended appropriations and all other information of value as a basis for fixing the levy and tax rate for the next fiscal year Said budget shall reflect as nearly as possible the estimated revenues and expenditures of the city for the year for which the budget is prepared It shall be unlawful to prepare and advertise notice of a proposed budget when the same is knowingly inaccurate Where upon any revision of the budget it appears that the estimated expenditures in the adopted budget will be increased more than ten per cent in the aggregate or more than twenty-five per cent in any individual item over the proposed budget it shall be presumed that the tentative budget was inaccurate and such budget may not be legally adopted with any such increases therein unless the same is again advertised once as in the case of the proposed budget and an opportunity afforded to taxpayers to examine the same and protest such increases Such budget shall be prepared on forms furnished as provided in section one thousand eight hundred twelve of this act

The several departments of the city government shall before the budget is presented as above provided furnish to the council an estimate of the probable receipts and expenditures and of the amount required by each of said departments for the public service during the ensuing fiscal year as a basis for making the annual appropriations thereto

Final action shall not be taken on the proposed budget until after at least ten days public notice The budget when submitted by the director of accounts and finance to the council shall be published or otherwise made available for public inspection at least twenty days prior to the date set for the adoption of the budget The council shall after making such changes and modifications therein as appear proper adopt the budget and any necessary appropriation measures required to put it into effect

Within fifteen days after the adoption of the budget the director of accounts and finance shall file a copy of the same in the office of the Department of Internal Affairs

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question.

Shall the bill pass finally?

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Robertson.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. ROBERTSON. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, I should like to ask the gentleman from Delaware, Mr. Robertson, if this bill is connected with the series of bills changing the fiscal year.

Mr. ROBERTSON. Mr. Speaker, 563 has nothing to do whatsoever with the fiscal year. It is not a part of the package and it merely determines the percentages of the budget. It has nothing to do with the fiscal year.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—180

Altshuler,  
Amarando,

Frank,  
Frost,

McCullough,  
McGee,

Royer,  
Sarraf,

Andrews,	Gallagher,	McKinney,	Sax,
Bane,	George,	McMillen,	Scanlon,
Barkdoll,	Gibson,	McNally,	Schmidt,
Baumunk,	Glembocki,	Mihm,	Schuster,
Beaver,	Goodling,	Mikula,	Scott,
Blair,	Graybill,	Miller,	Seyler,
Bloom,	Green,	Milliken,	Shoemaker,
Boles,	Greenwood,	Mills,	Smith, C. C.,
Bomberger,	Greer,	Mintess,	Snider,
Boorse,	Guarnieri,	Monroe,	Sollenberger,
Bower,	Guthrie,	Moore, C. E.,	Spencer,
Breisch,	Hagerty,	Moore, H. A.,	Sternberg,
Breth,	Hall,	Munley,	Stuart,
Brice,	Harney,	Murray,	Swope,
Brown, H. S.,	Harris,	Nagel,	Tahl,
Brown, W. E.,	Haudenshield,	Najaka,	Taylor,
Brunner,	Helm,	Needham,	Tompson,
Cadwalader,	Herman,	Neff,	Tompkins,
Clapper,	Hersch,	Nixon,	Toomey,
Clendenning,	Hewitt,	O'Dare,	Varallo,
Cochran,	Hocker,	O'Donnell,	Varnier,
Coleman,	Hoffman,	Orban,	Verona,
Conway,	Hoggard,	Penglase,	Wachhaus,
Cooper,	Jennings,	Pentrack,	Wagner,
Costa,	Johnson,	Peta,	Wargo,
Dalrymple,	Jones, G. E.,	Petrosky,	Waterhouse,
Dennison,	Keller,	Pettigrew,	Watkins,
Deputy,	Kemp,	Pfaff,	Weidner,
Dougherty,	Kent,	Polen,	Weiss,
Driscoll,	Kirley,	Price, H. W., Jr.,	Welsh,
Duffy,	Kline,	Price, R. A.,	Wescott,
Dye,	Kohl,	Proper,	Westrick,
Elder,	Kolankiewicz,	Reagan,	Wheeler,
Erb,	Kratz,	Reese,	Williams,
Evans,	Kurtz,	Reidenbach,	Wood,
Ewing,	Lederer,	Reilly, J. M.,	Worley,
Felton,	Lee,	Reynolds,	Yaffe,
Ferster,	Leisey,	Riley, R. L.,	Yeakel,
Firmstone,	Limper,	Robbins,	Yester,
Flack,	Loftus,	Robertson,	Yetzer,
Fleming,	Lovett,	Rose,	Young,
Floyd,	Madigan,	Rosen,	Ziegler,
Fox,	McCormack,	Rovansek,	Sorg,
			Speaker

NAYS—27

Bednarek,	Good,	Jump,	Posta,
Brandon,	Hamilton,	Kamyk,	Powers,
Buchin,	Heatherington,	Kondrath,	Readinger,
Cole,	Hunter,	Leonard,	Smith, W. B.,
DeLong,	Jenkins,	Moran,	Stank,
Filo,	Jim,	Musto,	Stimmel,
Gaffney,	Jones, J. M.,	Olsen,	

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 564, as follows:

An Act to further amend sections three hundred sixty-one and three hundred seventy of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by imposing certain restrictions regarding preparation of proposed budgets

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred sixty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act

approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1184) is hereby further amended to read as follows

Section 361 Preparation of Annual Budget The commissioners of every county where the office of controller has not been established shall at their first meeting after the general election in every year and at least thirty days prior to the adoption of the budget prepare a proposed budget for all funds giving an estimate of the probable expense of the county for the ensuing year Said budget shall be prepared as provided in section three hundred seventy of this act When the returns of the assessors have been made and rectified the commissioners shall fix the rate of taxation upon the adjusted valuation of the property taxable for county purposes as will be necessary to meet such expenses

Section 2 Section three hundred seventy of said act as added by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1184) and as amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 236) is hereby further amended to read as follows

Section 370 Annual Budget Control of Expenditures The controller or the county commissioners where there is no controller shall annually prepare a proposed budget for all funds for the next fiscal year at least thirty days prior to the adoption of the budget Said budget shall reflect as nearly as possible the estimated revenues and expenditures of the county for the year for which the budget is prepared It shall be unlawful to prepare and advertise notice of a proposed budget when the same is knowingly inaccurate Where upon any revision of the budget it appears that the estimated expenditures in the adopted budget will be increased more than ten percent in the aggregate or more than twenty-five percent in any individual item over the proposed budget it shall be presumed that the tentative budget was inaccurate and such budget may not be legally adopted with any such increases therein unless the same is again advertised once as in the case of the proposed budget and an opportunity afforded to taxpayers to examine the same and protest such increases Said budget shall be prepared on forms furnished as provided in section three hundred seventy point one of this act Final action shall not be taken on the proposed budget by the county commissioners until after at least ten days public notice The proposed budget shall be published or otherwise made available for public inspection by all persons who may interest themselves at least twenty days prior to the date set for the adoption of the budget The county commissioners shall after making such revisions and changes therein as appear advisable adopt the budget and necessary appropriation measures required to put it into effect

Within fifteen days after the adoption of the budget the county commissioners shall file a copy of the same in the office of the Department of Internal Affairs

The county commissioners may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated including the proceeds of any borrowing now or hereafter authorized by law

The county commissioners shall have power to authorize the transfer within the same fund of any unencumbered balance or any portion thereof from one spending agency to another but such action shall be taken only during the last nine months of the fiscal year

No work shall be hired to be done no materials purchased no contracts made and no order issued for the payment of any moneys by the county commissioners which will cause the sums appropriated to be exceeded

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—201

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Snider,
Brandon,	Hagerty,	Mintess,	Sollenberger,
Brelschi,	Hall,	Monroe,	Spencer,
Brice,	Harney,	Moore, C. E.,	Stank,
Brown, H. S.,	Harris,	Moore, H. A.,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Reagan,	Worley,
Ferster,	Kratz,	Reese,	Yaffe,
Filo,	Kurtz,	Reidenbach,	Yeakel,
Firmstone,	Lederer,	Reilly, J. M.,	Yester,
Flack,	Lee,	Reynolds,	Yetzer,
Fleming,	Leisey,	Riley, R. L.,	Young,
Floyd,	Leonard,	Robbins,	Ziegler,
Fox,	Limper,	Robertson,	Sorg,
Frank,			Speaker

## NAYS—6

Breth,	Kondrath,	Readinger,	Smith, W. B.,
Hamilton,	Moran,		

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 566, as follows:

An Act to further amend section one thousand three hundred five and one thousand three hundred nine of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further amending the adoption and alteration of budgets

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand three hundred five and one thousand three hundred nine of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) are hereby further amended to read as follows

Section 1305 Preparation of Budget (a) During the month of January a proposed budget or annual estimate of revenues and expenditures shall be prepared for all funds in a manner designated by the council Said budget shall reflect as nearly as possible the estimated revenues and expenditures of the borough for the year for which the budget is prepared It shall be unlawful to prepare and advertise notice of a proposed budget when the same is knowingly inaccurate Where upon any revision of the budget it appears that the estimated expenditures in the adopted budget will be increased more than ten per cent in the aggregate or more than twenty-five per cent in any individual item over the proposed budget it shall be presumed that the tentative budget was inaccurate and such budget may not be legally adopted with any such increases therein unless the same is again advertised once as in the case of the proposed budget and an opportunity afforded to taxpayers to examine the same and protest such increases The budget shall be prepared on a uniform form prepared and furnished as hereinafter provided The proposed budget shall be kept on file with the borough secretary and by him be made available for public inspection for a period of ten days

Section 1309 Modification of Budget Supplemental Appropriations and Transfers The council in its reasonable discretion may by motion modify the budget after its final adoption New appropriations supplementary appropriations and transfers from one appropriation to another may be made during the fiscal year either before or after the expenditure is authorized or ratified after the expenditure is made provided it is within the current year's revenues or the money therefor promptly made available through borrowing as allowed by law However when a transfer of over five per cent of an appropriation item is made within a fund or when a transfer of over five per cent of the total appropriation to a fund is made from said fund to another fund an affirmative vote of two-thirds of the members of the council shall be required

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HEATHERINGTON. Mr. Speaker, Senate Bill 566 on Page 2 says that "said budget shall reflect as nearly as possible the estimated revenues and expenditures." On line 14 it says: "It shall be unlawful to prepare and advertise notice of a proposed budget when the same is knowingly inaccurate." In other words, Mr. Speaker it is presumed that council in a borough is already guilty by passing a bad budget.

On Page 3 at the bottom it provides "However, when a transfer of over five percent of an appropriation item is made within a fund or when a transfer of over five percent of the total appropriation to a fund is made from said fund to another fund." If you turn over to Page 4 Mr. Speaker, it says "an affirmative vote of two-thirds of the members of the council shall be required." The

Borough Association is against Senate Bill 566 and we feel that instead of the two-thirds vote it should be left to a majority vote because in cases where you have a split council in the borough you would have a tough time getting two-thirds of the members in council to vote on a change, and I would like to have the members vote "no" on the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—62

Altschuler,	Greer,	Neff,	Smith, C. C.,
Baumunk,	Hall,	O'Dare,	Swope,
Bloom,	Kemp,	O'Donnell,	Tahl,
Bower,	Kent,	Orban,	Varner,
Breisch,	Kurtz,	Petrosky,	Wagner,
Brice,	Leisey,	Pfaff,	Waterhouse,
Brunner,	Loftus,	Polen,	Watkins,
Clapper,	Lovett,	Price, R. A.,	Weiss,
Clendening,	Madigan,	Propert,	Wescott,
Dalrymple,	McCormack,	Reese,	Westrick,
Dennison,	McKinney,	Reilly, J. M.,	Wheeler,
Driscoll,	McMillen,	Robertson,	Wood,
Dye,	Mikula,	Rovansek,	Yaffe,
Fox,	Milliken,	Sax,	Young,
Gallagher,	Mintess,	Seyler,	Sorg,
George,	Moore, C. E.,		Speaker

## NAYS—113

Amarando,	Gibson,	Kirley,	Reynolds,
Andrews,	Glenbocki,	Kohl,	Robbins,
Barkdoll,	Good,	Kolankiewicz,	Rosen,
Bednarek,	Goodling,	Kondrath,	Royer,
Blair,	Graybill,	Lederer,	Scanlon,
Bomberger,	Green,	Leonard,	Schmidt,
Brandon,	Guarnieri,	Llmpier,	Schuster,
Breth,	Guthrie,	McCullough,	Scott,
Brown, H. S.,	Hagerty,	McGee,	Smith, W. B.,
Bucchin,	Hamilton,	McNally,	Snider,
Cole,	Harris,	Miller,	Sollenberger,
Coleman,	Haudenshield,	Monroe,	Stank,
Conway,	Heatherington,	Moore, H. A.,	Sternberg,
Cooper,	Helm,	Moran,	Stimmel,
DeLong,	Herman,	Munley,	Stuart,
Depuy,	Hersch,	Murray,	Taylor,
Dougherty,	Hewitt,	Musto,	Thompson,
Duffy,	Hocker,	Nagel,	Tompkins,
Elder,	Hoffman,	Najaka,	Toomey,
Erb,	Hoggard,	Needham,	Varallo,
Ferster,	Hunter,	Nixon,	Wargo,
Filo,	Jenkins,	Olsen,	Weidner,
Firmstone,	Jim,	Peta,	Welsh,
Flack,	Johnson,	Pettigrew,	Williams,
Fleming,	Jones, G. E.,	Posta,	Worley,
Floyd,	Jones, J. M.,	Powers,	Yeakel,
Frank,	Jump,	Readinger,	Yester,
Frost,	Kamyk,	Reidenbach,	Ziegler,
Gaffney,	Keller,		

## NOT VOTING—33

Bane,	Evans,	Krise,	Riley, R. L.,
Beaver,	Ewing,	Lee,	Rose,
Boles,	Felton,	Mihm,	Sarra,
Boorse,	Greenwood,	Mills,	Shoemaker,
Brown, W. E.,	Harney,	Penglase,	Spencer,
Cadwalader,	Jennings,	Pentrack,	Verona,
Cochran,	Kline,	Price, H. W., Jr.,	Wachhaus,
Costa,	Kratz,	Reagan,	Yetzer,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fails.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 580, as follows:

An Act to further amend sections four and five of the act approved the twenty-eighth day of May one thou-

sand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four and five of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the tenth day of June one thousand nine hundred forty-seven (P. L. 524) are hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall required to pay unto the board of pensions monthly an amount equal to not less than two nor more than four per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person be dismissed for reasons other than misconduct after having served as an employe for fifteen years or more but less than twenty years such employe shall have the right to elect to keep in the fund all contributions heretofore made to the fund and to continue making monthly payments to such fund in an amount equal to the amount last due and paid monthly while an employe When such payments continue until the former employe has contributed to the fund for a total of at least twenty years or until reaching the age of retirement whichever is the longer such person shall be entitled to receive a pension proportional to the pension which would have been received had the employe completed twenty years of service prior to dismissal such proportion to be computed on the ratio which the employes actual time of service in months bears to twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his or her position or employment before attaining the age fixed for retirement by this act upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to the pension above mentioned notwithstanding he or she has not attained the age for retirement at the time of his or her separation from the service of such city but said pension shall not commence until he or she has attained such age Provided That any employe who has heretofore or shall hereafter be dismissed voluntarily retire or be in any manner deprived of his or her position or employment and who has been in the service of the city for a period of twenty-five (25) years or more and who has made payments into the pension fund for a period of twenty (20) years or more and who has reached the age of fifty (50) years shall upon application to the board of pensions receive the pension or compensation fixed by this act during the remainder of his or her life Should any employe however become totally and permanently disabled after fifteen years of service he or she shall be entitled to the said pension Provided That if any employe who has served less than fifteen years becomes totally and permanently disabled by reason of injury sustained in the actual performance of duty such employe shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board

that the employee is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office. Once a year the board of pensions may require a disability pensioner to undergo a medical examination by three physicians appointed by the board and should such physicians thereupon report and certify to the board that such beneficiary is no longer incapacitated and should the prison board concur in such report the pension to such beneficiary shall be discontinued. The pension paid to any one employee shall not be less than [seventy-five] eighty dollars nor exceed one hundred and twenty-five dollars per month and shall not be computed on rate of pay in excess of two hundred and fifty dollars per month. In the event of the death of any person receiving a pension under this act there shall be paid to [the heirs or to the estate of such deceased person] such person or persons as he or she shall have designated in writing and filed with the board of pensions as his or her beneficiary or to his or her estate a lump sum representing the difference if any between the total contributions paid into the pension fund by him or her as an employee and the total pension payments received by him or her during his or her lifetime but such lump sum shall be paid only when such total contributions exceed the total pension payments made.

Section 5 The city employees shall after the passage of this act pay unto the board of pensions monthly an amount equal to not less than two nor more than four per centum of their monthly salaries or wages as fixed by the board of pensions in no event however paying at a rate greater than [ten] twelve dollars per month which shall be applied to the purposes of this act. Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary received the pension herein provided if such beneficiary has so contributed to the pension fund during a period of twenty years. If at the time the beneficiary received the pension herein provided he or she shall not have been a contributor to the pension fund during a period of twenty years such person shall be required to pay unto the board of pensions an amount equal to not less than two nor more than four per centum of his or her monthly pension until such time as his or her contributions shall have extended during a period of twenty years. If for any cause an employee contributing to the pension fund shall cease to be an employee of any such cities of the second class before said employee becomes entitled to the pension conferred by this act the total amount of the contributions paid unto the pension fund by such employee shall be refunded to him or her in full without interest unless he or she has less than full pension rights under the provisions of section four of this act and elects at once to exercise such rights by keeping such contributions in the fund and making such further payments as may be required. Provided how If any such employee shall have returned to him or her the amount contributed as aforesaid and shall afterwards reenter the employ of such city said employee shall not be entitled to the pension designated until twenty years after said re-employment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time the said employee first entered the service of said city. In the event of the death of any such employee before the said employee becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to [the estate of the said deceased employee or to his or her heirs] such person or persons as he or she shall have designated in writing and filed with the board of pensions as his or her beneficiary or to his or her estate.

And said bill having been read at length the third time, considered and agreed to,

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 583, as follows:

An Act to amend clause XXVIII of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by increasing the amount which township supervisors may expend to care for abandoned or neglected cemeteries.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause XXVIII of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted amended and revised by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors In addition to the duties imposed upon them by section 516 hereof they shall have power

XXVIII Abandoned or Neglected Cemeteries Whenever any cemetery or burial ground incorporated or unincorporated is being neglected although occasionally used for burial purposes the court of quarter sessions of the county upon petition of twenty-five residents of the township wherein such cemetery is located may direct the supervisors to care for such cemetery at a cost of not more than [thirty] sixty dollars in any one year and the supervisors shall expend moneys from the general township fund for such purpose Such cemetery shall remain open to the public as may be directed by the court

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

- |               |                |                    |
|---------------|----------------|--------------------|
| Altshuler,    | Frost,         | Loftus,            |
| Amarando,     | Gaffney,       | Lovett,            |
| Andrews,      | Gallagher,     | Madigan,           |
| Bane,         | George,        | McCormack,         |
| Barkdoll,     | Gibson,        | McCullough,        |
| Baumunk,      | Glembockl,     | McGee,             |
| Beaver,       | Good,          | McKinney,          |
| Bednarek,     | Goodling,      | McMillen,          |
| Blair,        | Graybill,      | Mihm,              |
| Bloom,        | Green,         | Mikula,            |
| Boles,        | Greenwood,     | Miller,            |
| Bomberger,    | Greer,         | Milliken,          |
| Boorse,       | Guarnieri,     | Mills,             |
| Bower,        | Guthrie,       | Mintess,           |
| Brandon,      | Hagerty,       | Monroe,            |
| Brelsch,      | Hall,          | Moore, C. E.,      |
| Breth,        | Hamilton,      | Moore, H. A.,      |
| Brice,        | Harney,        | Moran,             |
| Brown, H. S., | Harris,        | Munley,            |
| Brown, W. E., | Haudenshield,  | Murray,            |
| Brunner,      | Heatherington, | Musto,             |
| Bucchin,      | Helm,          | Nagel,             |
| Cadwalader,   | Herman,        | Najaka,            |
| Clapper,      | Hersch,        | Needham,           |
| Clendenning,  | Hewitt,        | Neff,              |
| Cochran,      | Hocker,        | Nixon,             |
| Cole,         | Hoffman,       | O'Dare,            |
| Coleman,      | Hoggard,       | O'Donnell,         |
| Conway,       | Hunter,        | Olsen,             |
| Cooper,       | Jenkins,       | Orban,             |
| Costa,        | Jennings,      | Penglase,          |
| Dalrymple,    | Jim,           | Pentrack,          |
| DeLong,       | Johnson,       | Peta,              |
| Dennison,     | Jones, G. E.,  | Petrosky,          |
| Depuy,        | Jones, J. M.,  | Pettigrew,         |
| Dougherty,    | Jump,          | Pfaff,             |
| Driscoll,     | Kamyk,         | Polan,             |
| Duffy,        | Keller,        | Posta,             |
| Dye,          | Kemp,          | Powers,            |
| Elder,        | Kent,          | Price, H. W., Jr., |
| Erb,          | Kirley,        | Price, R. A.,      |
| Evans,        | Kline,         | Propert,           |
| Ewing,        | Kohl,          | Readinger,         |
| Felton,       | Kolankiewicz,  | Reagan,            |
| Ferster,      | Kondrath,      | Reese,             |
| Filo,         | Kratz,         | Reidenbach,        |
| Firmstone,    | Kurtz,         | Yester,            |

- |          |          |                |          |
|----------|----------|----------------|----------|
| Flack,   | Lederer, | Reilly, J. M., | Yetzer,  |
| Fleming, | Lee,     | Reynolds,      | Young,   |
| Floyd,   | Leisey,  | Riley, R. L.,  | Ziegler, |
| Fox,     | Leonard, | Robbins,       | Sorg,    |
| Frank,   | Limper,  | Robertson,     | Speaker  |

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 585, as follows:

An Act authorizing certain officers in cities of the first class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class and in school districts of the first class under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All penalties and interest imposed on delinquent city and school taxes in cities of the first class and in school districts of the first class for the tax year one thousand nine hundred and forty-eight and for all previous tax years shall be abated if (a) the controller treasurer and receiver of taxes in a city of the first class and the school districts of the first class coterminous therewith or if (b) the controller treasurer and president of the school board of a school district of the first class which is coterminous with a city of the second class are in each of the above classifications as to taxes affecting each such classification unanimously of the opinion that the total of the taxes plus accrued penalties and interest exceed the market value as of December 31 1948 of the real property for which an abatement is requested

Section 2 No abatement of taxes shall be allowed unless the owner or lienholder petitions the officers in each classification set forth in section one hereof for an abatement on or before September 15 1949 and pays all of his delinquent real estate taxes less penalties and interest within thirty (30) days after said officer find as a fact that the value of the said real estate is less than the total of taxes penalties and interest as of the aforesaid date

Section 3 In order to receive the benefits of this act the 1949 taxes on the said property must be paid during the calendar year 1949

Section 4 This act shall be construed to apply to all city and school taxes whether or not liens for such taxes have been filed in the office of the prothonotary of the county or any proceedings for the collecting of such taxes have been instituted in any court

Section 5 All other acts or parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 6 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greerwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglass,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Linper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 598, as follows:

An Act to amend subsection B of section one thousand five hundred and six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers

of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by adding thereto the provision that certain corporations created by merger or consolidation under the laws of any state of the United States other than Pennsylvania may act in a fiduciary capacity in this Commonwealth as successors in such capacity to any constituent corporation and to validate such actions heretofore performed by such corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection B of section one thousand five hundred and six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An Act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of baking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 1506 Prohibition upon Corporations Acting as Fiduciary Penalty

\* \* \* \* \*

B A corporation organized under the laws of any state of the United States other than Pennsylvania shall not have authority to act in this Commonwealth as trustee guardian executor administrator or in any other similar fiduciary capacity unless it shall be appointed such fiduciary by any last will and testament or codicil thereto or other testamentary writing or by deed of trust inter vivos or by any court or register of wills of this Commonwealth and unless the laws of such other state confer like powers upon corporations organized under the laws of this Commonwealth but such corporations organized under the laws of another state shall be required to give such bond or other security as shall be deemed adequate by the court or register of wills in the Commonwealth having jurisdiction over the estate of which the corporation is acting as trustee guardian executor administrator or similar fiduciary provided however that any corporation created under the laws of any state of the United States other than Pennsylvania by the merger or consolidation of two or more corporations having authority in such state to act as trustees guardians executors administrators or in any similar fiduciary capacity shall have authority to act in this Commonwealth in any such fiduciary capacity as successor in such capacity to its constituent corporations or any of them provided that

(1) the constituent corporation theretofore so acting in such capacity in this Commonwealth was lawfully so acting at the time of such consolidation or merger and

(2) the successor corporation shall comply with all the laws of this Commonwealth applicable to its doing business herein and

(3) the laws of the state wherein the successor corporation was created permit a similar corporation created by merger or consolidation in this Commonwealth to act in

that state in such a fiduciary capacity as successor to its constituent corporations or any of them theretofore so acting in that state

Section 2 Any act including but not limited to the conveyance of real property heretofore performed by such corporation created as specified in section one hereof as successor in any fiduciary capacity to its constituent corporations or any of them is hereby validated to the same extent as if such act had been performed by such constituent corporation in its fiduciary capacity

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarraff,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Sevler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buchlin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 601, as follows:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for retroactive service allowance of certain employees The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the first day of July one thousand nine hundred forty-seven (P. L. 1352) is hereby further amended to read as follows

Section 11 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each contributor by the retirement board for each school year of service as an employe as defined in section one paragraph seven of this act and for each school year for which credit is not otherwise provided for in this act and during which the contributor was a member of the American Expeditionary Force in the World War or in activities connected therewith approved by the retirement board or who were either enlisted or drafted into the Army Navy Marine Corps or the Enlisted Nurses' Corps of the United States and for each school year during which the contributor was prior to the eighteenth day of July one thousand nine hundred seventeen a teacher instructor or supervisor in any state or semi-state orphan school Under such rules and regulations as the retirement board shall adopt each employe shall file with the retirement board a detailed statement of all such service rendered by him or her As soon as practicable thereafter the retirement board shall verify such statement as to prior service and shall issue to each employe a certificate certifying to the aggregate length of his or her prior service Such certificate shall be final and conclusive as to his or her prior service unless thereafter modified (a) by the retirement board upon application by employe or (b) by the State Superintendent of Public Instruction upon application by the employe or by the retirement board provided such application for modification be made to said State Superintendent of Public Instruction within one year after the issuance of a certificate or a modified certificate by the retirement board A certificate for prior service issued to a present employe shall certify the total number of completed years of prior service allowances for said present employe to and including the thirtieth day of June nineteen hundred nineteen The time during

which an employe is absent without pay shall not be counted in computing the prior service the total service or the average salary of a contributor unless allowed by the employer by whom said contributor was employed at the time said leave of absence was granted and further unless said allowance is approved by the retirement board

Any person who is entitled to credit for service as a teacher instructor or supervisor in any state or semi-state orphan school prior to the eighteenth day of July one thousand nine hundred seventeen under the provisions of this section and was retired prior to the fifth day of July one thousand nine hundred forty-seven shall be entitled to the benefits of such credit from the date of his or her retirement

Section 2 The Commonwealth of Pennsylvania shall pay into the retirement fund an amount sufficient to pay the benefits resulting from the provisions of this amendment

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanseck,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Gooding,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breth,	Hall,	Monroe,	Sollenberger,
Brelsck,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Nedham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 621, as follows:

An Act to amend the title and the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1433) entitled "An act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the State Council of Education and prescribing penalties" by transferring the administration of this act to the State Board of Private Correspondence Schools changing definitions bringing eleemosynary institutions within the provisions of the act eliminating the advisory committee regulating the advertising and soliciting for students by private correspondence schools requiring the registration of agents of such schools where their home office is outside of this Commonwealth and providing for a separate non-transferable license for each school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1433) entitled "An act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the [State Council of Education and prescribing penalties]" are hereby amended to read as follows

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the [State Council of Education] State Board of Private Correspondence Schools and prescribing penalties

Section 1 The following words and phrases of this act shall have the following meanings

(1) "Private Correspondence School" "Correspondence School" or "School" shall mean a privately owned and operated school conducted for the purpose of providing by correspondence for a consideration profit or tuition systematic instruction in any field or fields of study

(2) ["Council" or "State Council" shall mean the State Council of Education] "Board" or "State Board" shall mean the State Board of Private Correspondence Schools

(3) "Adequate correction service" shall mean the proper receipt and prompt correction of all required tests and materials with appropriate written comments and suggestions for correction of errors and apparent weaknesses and the prompt mailing of such corrected materials to students concerned

(4) "Agent" shall mean any person including registrar field representatives field officers supervisors and district representatives who solicits prospective students sells or solicits applications for correspondence courses for any private correspondence school

Section 2 The mandatory provisions of this act shall not include correspondence schools having no definite situs in Pennsylvania or schools maintained or classes conducted by employers for their own employes [with out profit] where no fee or tuition is charged or school owned and operated by bona fide religious [or eleemosynary] institutions [without profit] or schools operated by

the Commonwealth of Pennsylvania or any political subdivision thereof but such schools may choose to apply for a license [number] and upon approval and issuance thereof shall be subject to the provisions of this act Provided however That nothing contained in this section shall affect the provisions of this act requiring the licensing of agents

Section 3 The provisions of this act shall be administered by the [State Council of Education] State Board of Private Correspondence Schools which in connection therewith shall have the power to make and to enforce rules and regulations and to make and promulgate standards of instruction not inconsistent with the provisions of this act The Superintendent of Public Instruction shall appoint an advisory committee of five or more members selected from persons active in the fields of private correspondence instruction extension education vocational education and secondary education whose duties shall be to advise and to make recommendations to the State Council regarding rules codes and other regulations for the licensing of such schools and for the registration of their responsible field representatives or agents and regarding the promulgation of standards of qualifications for schools so licensed and for representatives or agents so registered

Section 4 [Effective one hundred eighty (180) days after the effective date of this Act no] (a) No private correspondence school shall continue in operation or shall be established within the Commonwealth unless there is first secured from the [State Council of Education] Board a license issued in such form as the [State Council] Board shall direct and no field representative or agent of any school located outside or within the Commonwealth shall solicit applications for students for such school unless such field representative or agent is licensed by the [Council] Board as hereinafter provided

(b) Within this Commonwealth no person shall advertise in behalf of or solicit prospective students for a school to be located within the Commonwealth of Pennsylvania prior to the establishment of such school unless such person or persons shall apply to the Board for a license in the manner and form prescribed by the Board and shall receive from the Board authorization to conduct such activities

(c) Within this Commonwealth no person or persons shall solicit prospective students for a school to be located outside the Commonwealth of Pennsylvania prior to the establishment of such school unless such person or persons shall apply for and obtain from the Board an agent's license in the manner and form prescribed by the Board

Section 5 Before any license is issued to any correspondence school a verified application shall be made in writing to the [State Council] Board on a form prepared and furnished by the [State Council] Board Such application shall require a statement showing (1) the title or name of the school together with ownership and controlling officers thereof (2) the specific fields of instruction which will be offered and the specific purposes of such instruction (3) a specific listing of the equipment and staff available for properly administering the correspondence courses of study which will be offered (4) that it maintains an adequate correction service (5) the qualifications of instructors and supervisors being employed (6) financial resources available to maintain the service being offered (7) an agreement to abide by reasonable service and business ethics prescribed by the [State Council] Board (8) an expression of willingness at the discretion of the [State Council] Board at any time it may designate to provide a surety company bond in a reasonable amount to the Commonwealth of Pennsylvania conditioned for the protection of the contractual right of students (9) such additional information as the [State Council of Education] Board may deem reasonable to enable it to determine the adequacy of the program of instruction being offered and the business integrity being maintained

Section 6 Any license issued shall be restricted to the fields or courses specifically indicated in the application for a license and each school shall have a separate license which shall not be transferable The holder of a license

shall present a supplementary application as may be directed by the [State Council] Board for approval of additional fields or courses in which it is desired to offer instruction during the effective period of the license

Section 7 Each original application for a license by a correspondence school shall be accompanied by a license fee of fifty dollars (\$50) and each application for the renewal of a license shall be accompanied by a license fee of twenty-five dollars (\$25) No fee shall be charged for a supplementary application for the approval of additional fields or courses of instruction All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue No license fees shall be refunded in the event any license is [refused] suspended or revoked [or for any other reason] Each licensing year is to continue from the first day of July to [the following thirtieth day of June] but exclusive of the next succeeding first day of July

Section 8 The [State Council of Education] Board shall maintain a list of schools and agents licensed under the provisions of this act which shall be available for the information of the public

Section 9 No private correspondence school shall be granted a license or shall be permitted to continue to operate under a granted license unless

(1) It shall permit the [State Council of Education] Board and its agents to inspect the school and its correction service and shall make available to the [State Council] Board at any time when requested to do so full information pertaining to any or all items of information contained in the application form which currently is provided by the [State Council] Board to applicants for license

(2) It shall prominently display the current approved license where it may be inspected by students visitors and officers and agents designated by the [State Council] Board

(3) The advertising and representations made by anyone representing the school as agent to prospective students shall be free from misrepresentation or fraud

Section 10 (a) No agent of a correspondence school with home office within [or outside] the Commonwealth shall be registered and permitted to operate within the Commonwealth until an application for registration accompanied by a fee of five dollars (\$5.00) is filed with the [State Council of Education] Board and unless [the agent and] the owner or president and secretary of the correspondence school shall file with the [State Council of Education] Board a statement that to the best of their knowledge the agent [has attained the age of eighteen (18) years] is of good moral character bears a good reputation for honesty truthfulness and fair dealing and is otherwise competent and qualified to act as such in such manner as to safeguard and protect the interest of the public and that he has not been convicted of any felony or of a misdemeanor involving moral turpitude and in addition is certified by a correspondence school licensed in this Commonwealth as its duly qualified agent

(1) Certified by a correspondence school licensed in this Commonwealth as its duly qualified agent or

(2) Certified as its duly qualified agent within the Commonwealth by a correspondence school of another state licensed by such state or

(3) Certified as its duly qualified agent within the Commonwealth by a correspondence school of another state which does not license correspondence schools and which school is approved by the Council after such investigation and such proof as in their judgment is essential to establish the character of the school whose agents apply for registration in the Commonwealth of Pennsylvania The approval of the Council shall be registered in a "List of approved unlicensed foreign correspondence schools" to be available for public inspection at the offices of the State Council of Education

(b) No agent of a correspondence school with home office outside the Commonwealth shall be registered and

permitted to operate within the Commonwealth until an application for registration accompanied by a fee of five dollars (\$5) is filed with the Board and unless the agent shall provide to the Board such certified information as the Board may deem necessary in order to establish the adequacy of the school and the qualifications of the agent

(c) Correspondence schools located outside the Commonwealth of Pennsylvania must be approved by the Board before a license will be granted to an agent thereof. The approval of the Board shall be registered in a "List of approved foreign correspondence schools" to be available for public inspection at the offices of the Board

Each licensing year is to continue from the first day of July to [the following thirtieth day of June] but exclusive of the next succeeding first day of July

Section 11 [If an application for a license is not approved the applicant may request and be entitled to a hearing before the Council if such request was made within thirty days after the action was disapproved. A license issued under the provisions of this act may be revoked or suspended by the State Council for cause. Provided That the licensee is permitted to be heard by the Council either personally by counsel or both. And provided also That a written copy to the causes be furnished him by registered mail ten days in advance of the date set for hearing. Said notice shall fix the time and place for said hearing which shall not be more than thirty days from the date of the mailing of said notice]

Any school which or agent who shall be aggrieved by any action of the Council relating to licensing or registration under this act or by any rule or regulation promulgated by the Council shall have the right to file a complaint with the Council and to have a hearing thereon before the Council. Such hearing shall be conducted and the decision of the Council on the issue involved shall be rendered in accordance with the provisions of the Administrative Agency Law and its amendments approved June fourth one thousand nine hundred forty-five (Pamphlet Laws 1388) relating to adjudication procedure. Any school or agent aggrieved by any adjudication of the Council shall have the right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner and with the same effect as is provided by the Administrative Agency Law and the Rules of Civil Procedure promulgated by the Supreme Court for judicial review of adjudications of agencies of the Commonwealth. Such appeal shall not act as a supersedeas but the licensee may continue to operate the school up to the date of the final decision of the court without being held to have violated the provisions of this act. Under the provisions of this act the Board shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the Board shall find

(1) That the licensee has violated any of the provisions of this act or any of the rules and regulations of the Board

(2) That the applicant or licensee has knowingly presented to the Board false incomplete or misleading information relating to licensure

(3) That the Applicant or licensee has pleaded guilty entered a plea of nolo contendere or has been found guilty of a crime involving moral turpitude by a judge or jury in any state or federal court

(4) That the applicant licensee or any employee in a school which is amenable to this act is addicted to the use of morphine cocaine or other drugs having a similar effect or is or shall become mentally incompetent

(5) That the applicant or licensee has failed or refused to permit the Board and/or its representatives to inspect the school or classes or has failed or refused to make available to the Board at any time when requested to do so full information pertaining to any or all items of information contained in an application for a license or pertaining to the program of instruction and matters relating thereto

(6) That the applicant has failed or refused to submit to the Board an application for license in the manner and form prescribed by the Board

(7) That a licensed school has failed or refused to display the current approved license where it may be inspected by students visitors and designated officials of the Board

(8) That a licensed agent has failed or refused to display or produce his license when requested to do so by prospective students or designated officials of the Board

(9) That the licensee has perpetrated or committed fraud or deceit in advertising the school or in presenting to prospective students written or oral information relating to the school to employment opportunities or to opportunities for enrollment in institutions of higher learning

(10) That the licensee is employing teachers supervisors or administrators who have not been approved by the Board or agents who have not been licensed by the Board

(11) That the licensee has failed to provide and maintain adequate equipment materials or supplies

(12) That the licensee has failed to provide and maintain adequate standards of instruction including correction service or an adequate and qualified administrative supervisory or teaching staff

(13) That the applicant or licensee is unable to provide and maintain financial resources in sufficient amount to maintain adequately and effectively the instructional service it proposes and advertises

(14) That the licensee has offered training or instruction in courses or subjects which have not been approved and authorized by the Board

(15) That a licensed agent has solicited prospective students to enroll in a school which has not been approved by the Board and which is not listed on the license issued by the Board. The procedure to be followed in the refusal suspension and revocation of licenses and in appeals taken from actions of the Board shall be that prescribed by the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) known as the Administrative Agency Law and its amendments

[Section 12 Any pupil of a correspondence school who is defrauded by a misrepresentation made by an officer or agent of any correspondence school or by any advertisement or circular issued by it or by any person association partnership or corporation who sells textbooks to the school or to the pupils thereof may recover in contract from such school or person association partnership or corporation three times the amount paid by him to such school or person association partnership or corporation]

Section 13 Any person who shall violate or fail to comply with any of the provisions of this act or any of the rules regulations or standards of instruction promulgated thereunder shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) or to undergo imprisonment for not more than one year or both. If the violation shall be by a corporation partnership or association the officers and directors of such corporation or the members of such partnership or association its agents and employees with guilty knowledge of the fact shall also be guilty of a misdemeanor and upon conviction thereof shall be punished as hereinbefore provided

Section 2 The provisions of this amendatory act shall become effective on the first day of June one thousand nine hundred forty-nine

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose.
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Gooding,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weldner,
Driscoll,	Kamyk,	Pfaff,	Wells,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Westcott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 622, as follows:

An Act to amend the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1428) entitled "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties" by bringing certain non-profit and all eleemosynary institutions within the provisions of the act regulating the advertising and soliciting for students including teachers within the definition of the term "agent" requiring agreement to file surety bond

when requested restricting schools and agents to those subjects specified in their applications and providing for a separate non-transferable license for each school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1428) entitled "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties" is hereby amended to read as follows

Section 1 The following words and phrases of this act shall have the meanings ascribed to them

[a] (1) "Private Business School" or "School" shall mean a school maintained or classes conducted for the purpose of offering resident instruction for a consideration profit or tuition the purpose of which is to prepare an individual to pursue a recognized profitable occupation in commercial pursuits and business phases of other occupations for which graduation from a degree granting institution of college grade is not required but shall not include junior colleges or religious [or bona fide non-profit or eleemosynary] institutions

[b] (2) "Board" shall mean the State Board of Private Business Schools

[c] (3) "Annual" shall refer to the fiscal school year from July first to the following June thirtieth inclusive

[d] (4) ["Agents"] "Agent" shall mean any person whether employed by a school as above defined or operating in his own behalf or whether acting in behalf of any school defined by this act located within or outside of this Commonwealth who for a consideration shall solicit any individual within the Commonwealth to enroll in a school [excluding bona fide teachers as provided at the discretion of the board]

Section 2 The mandatory provisions of this act shall not include schools maintained or classes conducted by employers for their own employees where no fee or tuition is charged or schools owned and operated by bona fide [eleemosynary or] religious institutions or by the Commonwealth of Pennsylvania or any political subdivision thereof or junior colleges but such exempted schools or classes may choose to apply for a license hereunder and upon approval and issuance thereof shall be subject to the provisions of this act Such exempted schools or classes may voluntarily surrender their license and revert to their original status

Section 3 [(a)] The provisions of this act shall be administered by the State Board of Private Business Schools which in connection therewith shall have the power to make and enforce rules and regulations and to make and promulgate standards of instruction not inconsistent with the provisions of this act [In promulgating such rules and regulations public hearings thereon shall be first held]

[(b)] The Board shall consist of nine members of whom eight shall be appointed by the Governor and confirmed by the Senate in manner herein provided and the ninth member shall be the Superintendent of Public Instruction or his representative ex officio The Governor shall appoint six members of the Board from a list of persons certified by the Superintendent of Public Instruction who have occupied executive or management positions in private business schools in the Commonwealth for a period of at least five years and of which two such members shall be appointed from Eastern Pennsylvania two from Western Pennsylvania and two from other parts of the Commonwealth Two of the six shall be appointed for a two year term two for a four year term and two for a six year term Thereafter appointment shall be for a six year term The Governor shall appoint one member of the Board who shall be a representative of Pennsylvania Department of Secondary School Principals and one member who shall be a representative of Pennsylvania Department of District Superintendents]

Section 4 (a) [Effective one hundred eighty (180) days

after final enactment of this act] No private business school or classes shall continue in operation or shall be established within the Commonwealth unless there is first secured from the Board a license issued in such form as the Board shall direct

(b) [Effective six months after passage of this act] No agent shall engage in solicitation within the Commonwealth unless he shall first be licensed by the Board

(c) The Board shall prescribe rules and regulations for the licensing of agents

(d) Within this Commonwealth no person or persons shall advertise in behalf of or solicit prospective students to enroll in a school to be established within the Commonwealth of Pennsylvania prior to the establishment of such school unless such person or persons shall apply to the Board for a license in the manner and form prescribed by the Board and shall receive from the Board authorization to conduct such activities

(e) Within this Commonwealth no person or persons shall solicit prospective students to enroll in a school to be established outside the Commonwealth of Pennsylvania prior to the establishment of such school unless such person or persons shall apply for and obtain from the Board an agent's license in the manner and form prescribed by the Board

(f) No person or persons shall solicit any prospective student within this Commonwealth to enroll in a school located within or outside this Commonwealth unless such school has been approved by the Board and unless such person or persons shall apply for and obtain from the Board an agent's license in the manner and form prescribed by the Board

Section 5 Before any license is issued to a school a verified application shall be made in writing to the Board on a form prepared and furnished by the Board. Such application shall require a statement showing (1) the title or name of the school or classes together with ownership and controlling officers thereof (2) the general field of instruction which will be offered and the purposes of such instruction (3) the place or places where such instruction will be given (4) a specific listing of the equipment available for instruction in each field (5) the qualifications of instructors and supervisors (6) financial resources available to equip and to maintain the school or classes (7) an expression of willingness at the discretion of the Board at any time it may designate to provide a surety company bond to the Commonwealth of Pennsylvania conditioned for the protection of the contractual rights of students [(7)] (8) such additional information as the Board may deem necessary to enable it to determine the adequacy of the program of instruction and matters pertaining thereto

Section 5.1 Any license issued to a school or to a class shall be restricted to the fields or courses specifically indicated in the application for license. Any license issued to an agent shall be restricted to the school or schools specifically listed in the application for a license. A licensed school shall present a supplementary application as may be directed by the Board for approval of additional fields of courses in which it is desired to offer instruction during the effective period of the license. A licensed agent desiring to solicit individuals to enroll in schools other than those specifically listed in any application for license shall present a supplementary application as may be directed by the Board for approval to solicit for such schools or additional schools

Section 6 (a) Each original application for a license to conduct a school or class shall be accompanied by a license fee of fifty dollars (\$50) and each application for the renewal of such license shall be accompanied by a license fee of twenty-five dollars (\$25). No fee shall be charged for a supplementary application for the approval of additional fields of courses of instruction. Fees for agents shall be five dollars (\$5) per year

(b) All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue. No license fees shall be refunded in the event any license is [refused] suspended or revoked [or for any other reason]

(c) Each school shall have a separate license which shall not be transferable

Section 7 The Board shall maintain a list of schools and agents licensed under the provisions of this act which shall be available for the information of the public

Section 8 No private business school or class shall be granted a license or shall be permitted to continue to operate under a granted license unless

(1) It shall permit the Board and its supervisors to inspect the school or classes and shall make available to the Board at any time when requested to do so full information pertaining to any or all items of information contained in the application form which currently is provided by the Board to applicants for a license

(2) It shall prominently display the current approved license where it may be inspected by students visitors and designated officials of the Board

(3) The advertising and solicitation shall be free from misrepresentations or fraud. Provided That before any license shall be denied or revoked an opportunity shall be given to the school or class to correct such misrepresentation or fraud and no discipline shall be imposed unless such school or class shall refuse to correct the situation. In the event that such school or class disagrees with the decision of the Board on such issue it may appeal within thirty (30) days to the common pleas court as provided hereafter and no disciplinary action shall be taken by virtue of such appeal

(4) The premises equipment and conditions of the school or classes shall be adequate safe and sanitary in accordance with such standards of the Commonwealth of Pennsylvania or any of its political subdivisions as are applicable to such premises and equipment

[Section 9 (a) Before the license of any licensee or any registration or any certification is suspended or revoked by the Board a written copy of the complaint made shall be furnished to the licensee registrant or person against whom the same is directed and an opportunity afforded him to be heard before the Board personally and by counsel. At least ten (10) days' written notice of the time and place of such hearing shall be given the licensee registrant or person by registered mail addressed to the post office as shown on the annual registration or other record or information in possession of the Board

(b) Any person aggrieved by the action of the Board in suspending or revoking a license registration or certification or by any other section of the Board which is alleged to be improper unreasonable or unlawful may appeal from such action of the Board in writing to the Court of Common Pleas of Dauphin County

(c) Appeals from suspensions and revocations of licenses registrations and certifications must be taken within thirty (30) days after such suspension or revocation of which action immediate notice shall be given by the Board to the licensee registrant or person by registered mail addressed as above provided. In the case of appeals from other actions of the Board the appeal may be taken at any time by the person aggrieved by such action. Such appeal shall automatically act as supersedeas

(d) Appeals shall be taken by serving upon the Board written notice of such appeal together with reasons for such appeal. Such service shall be made by filing the said notice of appeal in the office of the Board

(e) Within thirty (30) days after the service of such notice of appeal the Board shall file with the prothonotary of the said court of common pleas a transcript of the record of the proceedings. Notice of the filing of said transcript with the terms and number to which filed shall be forthwith given by the Board to the appellant and as well to the party or parties if any upon whose complaint the proceedings before the Board was instituted. The cost of the said transcript at twenty-five cents (25c) per folio and one dollar (\$1) for the certification shall be entered as part of the record costs in the cause to be paid as the court may direct

(f) The court upon application by the Board or the appellant shall fix a time and place for hearing at which time or at any adjournment thereof the appeal shall be heard de novo by the judge or judges of the court. The

appellant shall be entitled to a trial by jury if demanded. The court shall affirm the decision of the Board unless it shall find the same is in violation of the constitutional rights of the appellant or is not in accordance with the law or was made upon unlawful procedure or that any finding of fact made by the Board and necessary to support its adjudication is not supported by substantial evidence. If the adjudication of the Board is not affirmed the court may set aside or modify it in whole or in part or may remand the proceeding to the Board for further disposition in accordance with the order of the court.

(g) Either party may appeal from the decision of the Court of Common Pleas of Dauphin County to the Superior Court. Such appeals shall be taken and prosecuted in the same manner and with like effect as is provided by law in other cases of appeal to the Superior Court and the records certified to the Superior Court shall contain all that was before the court of common pleas. The decree of the Superior Court shall be final and conclusive.

Section 9 Under the provisions of this act the Board shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the Board shall find

(1) That the licensee has violated any of the provisions of this act or any of the rules and regulations of the Board

(2) That the applicant or licensee has knowingly presented to the Board false incomplete or misleading information relating to licensure

(3) That the applicant or licensee has pleaded guilty entered a plea of nolo contendere or has been found guilty of a crime involving moral turpitude by a judge or jury in any state or federal court

(4) That the applicant licensee or any employee in a school which is amenable to this act is addicted to the use of morphine cocaine or other drugs having a similar effect or is or shall become mentally incompetent

(5) That the applicant or licensee has failed or refused to permit the Board and/or its representatives to inspect the school or classes or has failed or refused to make available to the Board at any time when requested to do so full information pertaining to any or all items of information contained in an application for license or pertaining to the program of instruction and matters relating thereto

(6) That the applicant has failed or refused to submit to the Board an application for license in the manner and form prescribed by the Board

(7) That a licensed school has failed or refused to display the current approved license where it may be inspected by students visitors and designated officials of the Board

(8) That a licensed agent has failed or refused to display or produce his license when requested to do so by prospective students or designated officials of the Board

(9) That the applicant or licensee has failed to provide or maintain premises equipment or conditions which are adequate safe and sanitary in accordance with such standards of the Commonwealth of Pennsylvania or any of its political subdivisions as are applicable to such premises and equipment

(10) That the licensee has perpetrated or committed fraud or deceit in advertising the school or classes or in presenting to prospective students written or oral information relating to the school or classes to employment opportunities or to opportunities for enrollment in institutions of higher learning

(11) That the licensee is employing teachers supervisors or administrators who have not been approved by the Board or agents who have not been licensed by the Board

(12) That the licensee has failed to provide and maintain adequate premises equipment materials or supplies or has exceeded the maximum enrollment for which the school or class was licensed

(13) That the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative supervisory or teaching staff

(14) That the applicant or licensee is unable to provide and maintain financial resources in sufficient amount

to equip and maintain adequately and effectively the school or classes

(15) That the licensee has moved the school into new premises or facilities or has altered or made additions to premises or facilities before notifying the Board of such change and before receiving from the Board approval for the new premises or facilities alterations or additions

(16) That the licensee has offered training or instruction in courses or subjects which have not been approved and authorized by the Board

(17) That a licensed agent has solicited prospective students to enroll in a school which has not been approved by the Board and which is not listed on the license issued by the Board. The procedure to be followed in the refusal suspension and revocation of licenses and in appeals taken from actions of the Board shall be that prescribed by the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) known as the Administrative Agency Law and its amendments

Section 10 [Any person who shall operate without being licensed as required by this act or exempted therefrom as provided in this act or shall knowingly give any false or forged evidence of a material kind to the Board in order to obtain a license] Any person who shall violate or fail to comply with any of the provisions of this act or any of the rules regulations or standards of instruction promulgated hereunder shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty and not more than five hundred dollars or to undergo imprisonment not more than one year or both. If the violation shall be by a corporation partnership or association the officers of such corporation or members of such partnership or association with guilty knowledge of the fact shall also be guilty of misdemeanor and upon conviction thereof shall be punished as hereinbefore provided

Section 11 All acts and parts of acts inconsistent herewith are hereby repealed

Section 2 This act shall become effective the first day of June one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsich,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tabl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,

Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisev,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Lamper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 623, as follows:

An Act to amend the title and the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 951) entitled "An act defining and providing for the licensing and regulation of private schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties" by transferring the administrative duties to the State Board of Private Academic Schools changing definitions bringing eleemosynary institutions within the provisions of this act eliminating the advisory committee regulating the advertising and soliciting for students and restricting agents in connection therewith requiring agreement of schools to file surety bond when requested and providing for a separate nontransferable license for each school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 951) entitled "An act defining and providing for the licensing and regulation of private schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties" are hereby amended to read as follows

An Act defining and providing for the licensing and regulation of private academic schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties

Section 1 [Wherever used or referred to in this act unless a different meaning clearly appears from the context] The following words and phrases of this act shall have the meaning ascribed to them

[(a)] (1) "Private academic school" or "school" shall mean a school maintained or classes conducted for the purpose of offering [educational] instruction for a consideration profit or tuition the purpose of which is to [generally] educate an individual generally or specially or to prepare an individual for [higher education] more advanced study and shall include all schools [of] engaged in such education except private trade schools private business schools and private correspondence schools

[(b) "Solicitor"] (2) "Agent" shall mean any person whether employed by a private school or operating in

this own behalf or whether acting in behalf of any school located within or outside of this Commonwealth who shall personally solicit any individual within the Commonwealth to enroll in a school

[(c) "Department"] (3) "Board" shall mean the [Department of Public Instruction] State Board of Private Academic Schools

Section 2 The provisions of this act shall not apply to colleges or universities schools maintained or classes conducted by employers for their own employees where no fee or tuition is charged schools or classes owned and operated by or under the authority of bona fide religious [or eleemosynary] institutions or by the Commonwealth of Pennsylvania or any political subdivision thereof or schools accredited by accrediting associations approved by the State Council of Education but such schools may choose to apply for a license and upon approval and issuance thereof shall be subject to the provisions of this act

Section 3 The provisions of this act shall be administered by the [Department of Public Instruction] State Board of Private Academic Schools which in connection therewith shall have the power to make and to enforce rules and regulations and to make and promulgate standards of instruction not inconsistent with the provisions of this act [The department may appoint an advisory committee of three or more members selected from persons active in the private school field whose duties shall be to advise and to make recommendations to the department regarding codes and other regulations for the licensing of schools and to make and to promulgate standards of qualifications for schools and agents so licensed]

Section 4 (a) No private academic school shall continue operation or be established within the Commonwealth unless such school shall [within five (5) months of the effective date of this act] apply for and obtain from the [department] board a license in the manner and form prescribed by the [department] board

(b) Within this Commonwealth no person or persons shall advertise in behalf of or solicit prospective students to enroll in a school to be established within the Commonwealth of Pennsylvania prior to the establishment of such school unless such person or persons shall apply to the board for a license in the manner and form prescribed by the board and shall receive from the board authorization to conduct such activities

(c) Within this Commonwealth no person or persons shall solicit prospective students to enroll in a school to be established outside the Commonwealth of Pennsylvania prior to the establishment of such school unless such person or persons shall apply for and obtain from the board an agent's license in the manner and form prescribed by the board

(d) No person or persons shall solicit any prospective student within this Commonwealth to enroll in a school located within or outside this Commonwealth unless such school has been approved by the board and unless such person or persons shall apply for and obtain from the board an agent's license in the manner and form prescribed by the board

Section 5 Before any license is issued a verified application shall be made in writing to the [department] board on a form prepared and furnished by the [department] board. Such application shall require a statement showing (1) the title or name of the school or classes together with ownership and controlling officers thereof (2) the specific fields of instruction which will be offered (3) the place or places where such instruction will be given (4) a specific listing of the equipment available for instruction in each field (5) the maximum enrollment to be accommodated on equipment available in each specified field (6) the qualifications of instructors and supervisors in each specified field (7) financial resources available to equip and to maintain the school or classes (8) such additional information as the [department] board may deem necessary to enable it to determine the adequacy of the program of instruction and matters pertaining thereto (9) an expression of willingness at the discretion of the board

at any time it may designate to provide a surety company bond to the Commonwealth of Pennsylvania conditioned for the protection of the contractual rights of students

Section 6 If the [department] board finds that the application and the school [or] classes or agent for which a license is sought complies with the provisions of this act and the rules and regulations of the [department] board promulgated under the provisions of this act the [department] board shall issue an original license to the applicant

Section 7 Any license issued to a school shall be restricted to the fields or courses specifically indicated in the application for a license [The holder of a license] Any license issued to an agent shall be restricted to the school or schools specifically listed in the application for a license A licensed school shall present a supplementary application as may be directed by the [department] board for approval of additional fields or courses in which it is desired to offer instruction during the effective period of the license A licensed agent desiring to solicit prospective students to enroll in schools other than those specifically listed in any application for license shall present a supplementary application as may be directed by the board for approval to solicit for such schools or additional schools

Section 8 Each original license issued shall be effective for a period of one (1) year from the date of issuance and shall be renewed annually thereafter by an application for renewal on a form prepared and furnished by the [department] board Each school shall have a separate license which shall not be transferable

Section 9 Each original application for a license to conduct a school or class shall be accompanied by a license fee of fifty dollars (\$50) and each application for the renewal of such a license shall be accompanied by a license fee of twenty-five dollars (\$25) No fee shall be charged for a supplementary application for the approval of additional fields or courses of instruction Fees for [solicitors] agents shall be five dollars (\$5) per year All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue No license fees shall be refunded in the event any license is [refused] suspended or revoked [or for any other reason]

Section 10 The [department] board shall maintain a list of schools and agents licensed under the provisions of this act which shall be available for the information of the public

Section 11 No private academic school or class shall be granted a license or shall be permitted to continue to operate under a granted license unless

(1) It shall permit the [department] board and its representatives to inspect the school or classes and shall make available to the [department] board at any time when requested to do so full information pertaining to any or all items of information contained in the application form which currently is provided by the [department] board to applicants for license

(2) It shall prominently display the current approved license where it may be inspected by students visitors and designated officials of the [department] board

(3) The advertising and representations made by anyone representing the school or classes as [a solicitor] an agent or contractual agent to prospective students shall be free from misrepresentation or fraud

(4) The premises equipment and conditions of the school or classes shall be adequate safe and sanitary in accordance with such standards of the Commonwealth of Pennsylvania or any of its political subdivisions as are applicable to such premises and equipment

Section 12 [Any license issued under the provisions of this act may be revoked or suspended by the department for cause Before any license is suspended or revoked the department shall serve a notice thereof on the licensee together with a statement of the reason for its action and the licensee upon request thereof shall be entitled to a hearing before the department and shall be afforded a full opportunity to appear before the department or an authorized agent of the department to state his case and to produce such evidence as he shall deem necessary]

Under the provisions of this act the board shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the board shall find

(1) That the licensee has violated any of the provisions of this act or any of the rules and regulations of the board

(2) That the applicant or licensee has knowingly presented to the board false incomplete or misleading information relating to licensure

(3) That the applicant or licensee has pleaded guilty entered a plea of nolo contendere or has been found guilty of a crime involving moral turpitude by a judge or jury in any state or federal court

(4) That the applicant licensee or any employe in a school which is amenable to this act is addicted to the use of morphine cocaine or other drugs having a similar effect or is or shall become mentally incompetent

(5) That the applicant or licensee has failed or refused to permit the board and/or its representatives to inspect the school or classes or has failed or refused to make available to the board at any time when requested to do so full information pertaining to any or all items of information contained in an application for license or pertaining to the program of instruction and matters relating thereto

(6) That the applicant has failed or refused to submit to the board an application for license in the manner and form prescribed by the board

(7) That a licensed school has failed or refused to display the current approved license where it may be inspected by students visitors and designated officials of the board

(8) That a licensed agent has failed or refused to display or produce his license when requested to do so by prospective students or designated officials of the board

(9) That the applicant or licensee has failed to provide or maintain premises equipment or conditions which are adequate safe and sanitary in accordance with such standards of the Commonwealth of Pennsylvania or any of its political subdivisions as are applicable to such premises and equipment

(10) That the licensee has perpetrated or committed fraud or deceit in advertising the school or classes or in presenting to prospective students written or oral information relating to the school or classes to employment opportunities or to opportunities for enrollment in institutions of higher learning

(11) That the license is employing teachers supervisors or administrators who have not been approved by the board or agents who have not been licensed by the board

(12) That the licensee has failed to provide and maintain adequate premises equipment materials or supplies or has exceeded the maximum enrollment for which the school or class was licensed

(13) That the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative supervisory or teaching staff

(14) That the applicant or licensee is unable to provide and maintain financial resources in sufficient amount to equip and maintain adequately and effectively the school or classes

(15) That the license has moved the school into new premises or facilities or has altered or made additions to premises or facilities before notifying the board of such change and before receiving from the board approval for the new premises or facilities alterations or additions

(16) That the license has offered training or instruction in courses or subjects which have not been approved and authorized by the board

(17) That a licensed agent has solicited prospective students to enroll in a school which has not been approved by the board and which is not listed on the license issued by the board

The procedure to be followed in the refusal suspension and revocation of licenses and in appeals taken from actions of the board shall be that prescribed by the act approved the fourth day of June one thousand nine hun-

dred forty-five (P. L. 1388) known as the Administrative Agency Law and its amendments

Section 13 Any person who shall violate or fail to comply with any of the provisions of this act or any of the rules regulations or standards of instruction promulgated thereunder shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) [and] or to undergo imprisonment [for a period of not less than six (6) months nor] for not more than one (1) year or both If the violation shall be a corporation partnership or association the officers and directors of such corporation or the members of such partnership or association its agents and employes with guilty knowledge of the fact shall also be guilty of a misdemeanor and upon conviction thereof shall be punished as hereinbefore provided

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cooper,	Herman,	Nagel,	Tahl,
Costa,	Hersch,	Najaka,	Taylor,
Cadwalader,	Hewitt,	Needham,	Thompson,
Clapper,	Hocker,	Neff,	Tompkins,
Clendening,	Hoffman,	Nixon,	Toomey,
Cochran,	Hoggard,	O'Dare,	Varallo,
Cole,	Hunter,	O'Donnell,	Varnier,
Coleman,	Jenkins,	Olsen,	Verona,
Conway,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Folen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolakiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	

Speaker

#### NAY—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 624, as follows:

An Act to further amend section two hundred two and to add sections four hundred fifty-five four hundred fifty-six four hundred fifty-seven and four hundred fifty-eight to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding State Boards of Private Academic Private Business Private Trade and Private Correspondence Schools to the Department of Public Instruction as administrative departmental boards and to provide for the appointment of the members to said boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Public Instruction of section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the eighth day of May one thousand nine hundred forty-seven (P. L. 158) the ninth day of May one thousand nine hundred forty-seven (P. L. 187) and the thirteenth day of May one thousand nine hundred forty-seven (P. L. 211) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions

and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

\* \* \* \* \*

In the Department of Public Instruction

State Council of Education

State Real Estate Commission

Pennsylvania State Board of Censors

Public School Employes' Retirement Board

Board of Trustees of Thaddeus Stevens Trade School

Board of Trustees of Pennsylvania State Oral School for the Deaf

Board of Trustees of Pennsylvania Soldiers' Orphan School

Board of Trustees of West Chester State Teachers' College

Board of Trustees of Millersville State Teachers' College

Board of Trustees of Kutztown State Teachers' College

Board of Trustees of East Stroudsburg State Teachers' College

Board of Trustees of Mansfield State Teachers' College

Board of Trustees of Bloomsburg State Teachers' College

Board of Trustees of Shippensburg State Teachers' College

Board of Trustees of Lock Haven State Teachers' College

Board of Trustees of Indiana State Teachers' College

Board of Trustees of California State Teachers' College

Board of Trustees of Slippery Rock State Teachers' College

Board of Trustees of Edinboro State Teachers' College

Board of Trustees of Clarion State Teachers' College

Board of Trustees of Cheyney Training School for Teachers

State Board of Medical Education and Licensure

State Board of Pharmacy

State Dental Council and Examining Board

State Board of Optometrical Examiners

State Board of Osteopathic Examiners

Osteopathic Surgeons' Examining Board

State Board of Examiners for the Registration of Nurses

State Board of Veterinary Medical Examiners

State Board for the Examination of Public Accountants

State Board of Examiners of Architects

State Registration Board for Professional Engineers

[State Civil Service Commissions]

Public Service Institute Board

State Board of Private Academic Schools

State Board of Private Business Schools

State Board of Private Trade Schools

State Board of Private Correspondence Schools

Section 2 Article four of said act is hereby amended by adding after section four hundred fifty-four four new sections to read as follows

Section 455 State Board of Private Academic Schools

The State Board of Private Academic Schools shall consist of seven (7) members who shall be appointed by the Superintendent of Public Instruction The membership of the Board shall include four (4) or more persons active in the private academic school field Two members shall be appointed for a term of six years two members for a term of four years and three members for a term of two years Thereafter appointment shall be for a term of six years

Four members of the Board shall constitute a quorum and the Board shall annually select a chairman from among its number the secretary of the Board shall be the chief of private academic school registration whose salary shall be determined by the Superintendent of Public Instruction

The members of the Board shall be paid fifteen dollars

per diem and necessary expenses when actively engaged in the performance of their official duties

The meetings of the Board shall be held and the proceedings of the meetings and the records of the Board shall be maintained in the City of Harrisburg Dauphin County Pennsylvania

All certificates and other official documents of the Board shall be issued by the Department of Public Instruction

Section 456 The State Board of Private Business Schools The State Board of Private Business Schools shall consist of seven (7) members who shall be appointed by the Superintendent of Public Instruction The membership of the Board shall include four (4) or more persons who have occupied executive or management positions in private business schools in the Commonwealth for a period of at least five years Two members shall be appointed for a term of six years two members for a term of four years and three members for a term of two years Thereafter appointment shall be for a term of six years

Four members of the Board shall constitute a quorum and the Board shall annually select a chairman from among its number the secretary of the Board shall be the chief of private business school registration whose salary shall be determined by the Superintendent of Public Instruction

The members of the Board shall be paid fifteen dollars per diem and necessary expenses when actively engaged in the performance of their official duties

The meetings of the Board shall be held and the proceedings of the meetings and the records of the Board shall be maintained in the City of Harrisburg Dauphin County Pennsylvania

All certificates and other official documents of the Board shall be issued by the Department of Public Instruction

Section 457 The State Board of Private Trade School The State Board of Private Trade Schools shall consist of seven (7) members who shall be appointed by the Superintendent of Public Instruction The membership of the board shall include five (5) or more persons active in the private trade school field Two members shall be appointed for a term of six years two members for a term of four years and three (3) members for a term of two years Thereafter appointment shall be for a term of six years

Four members of the Board shall constitute a quorum and the Board shall annually select a chairman from among its number the secretary of the Board shall be the chief of Private Trade School registration whose salary shall be determined by the Superintendent of Public Instruction

The members of the Board shall be paid fifteen dollars per diem and necessary expenses when actively engaged in the performance of their official duties

The meetings of the Board shall be held and the proceedings of the meetings and the records of the Board shall be maintained in the City of Harrisburg Dauphin County Pennsylvania

All certificates and other official documents of the Board shall be issued by the Department of Public Instruction

Section 458 The State Board of Private Correspondence Schools The State Board of Private Correspondence Schools shall consist of seven (7) members appointed by the Superintendent of Public Instruction Two members shall be appointed for a term of six years two members for a term of four years and three (3) members for a term of two years Thereafter appointment shall be for a term of six years

Four members of the Board shall constitute a quorum and the Board shall annually select a chairman from among its number the secretary of the Board shall be the chief of Private Correspondence School registration whose salary shall be determined by the Superintendent of Public Instruction

The members of the Board shall be paid fifteen dollars per diem and necessary expenses when actively engaged in the performance of their official duties

The meetings of the Board shall be held and the proceedings of the meetings and the records of the Board

shall be maintained in the City of Harrisburg Dauphin County Pennsylvania

All certificates and other official documents of the Board shall be issued by the Department of Public Instruction

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarraff,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buechin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 625, as follows:

An Act to amend the title and sections one two three four six seven and ten of the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties" by transferring the administration of this act to the State Board of Private Trade Schools bringing eleemosynary institutions within the provisions of the act eliminating the advisory committee regulating the advertising and soliciting for students by private trade schools changing provisions as to licenses and the holders thereof and increasing the fees for such licenses and providing for a separate non-transferable license for each school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties" as amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 916) are hereby further amended to read as follows

An Act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board [for Vocational Education] of Private Trade Schools and prescribing penalties

Section 1 The following words and phrases of this act shall have the meanings ascribed to them

(1) "Private Trade School" or "school" shall mean a school maintained or classes conducted for the purpose of offering instruction for a consideration profit or tuition the purpose of which is to prepare an individual to pursue a recognized profitable occupation in the skilled trades or industries or to give occupational training "Private Trade School" or "school" shall not include any school maintained or class conducted (I) For training for the vocation of home making to women and girls or (II) to give training in public and other service occupations nor shall the terms include correspondence schools business schools private academic schools barber schools beauty culture schools flight schools or degree granting institutions

(2) "Board" shall mean the State Board [for Vocational Education] of Private Trade Schools

(3) "Annual" shall refer to the fiscal school year from the first day of July to the following thirtieth day of June inclusive

(4) "Agent" shall mean a person employed by any school as above defined located within or outside the Commonwealth who shall act as an agent salesman broker or independent contractor to procure students enrollee or subscribers by solicitation in any form made in a place or places other than the office or place of business of such school

Section 2 Section two of said act is hereby amended to read as follows

Section 2 The mandatory provisions of this act shall not include schools maintained or classes conducted by employers for their own employees where no fee or tuition is charged or schools owned and operated by bona fide religious [or eleemosynary] institutions or by the Commonwealth of Pennsylvania or any political subdivision thereof but such schools or classes may choose to apply for a license hereunder and upon approval an issuance thereof shall be subject to the provisions of this act

Section 3 Sections three and four of said act as amended by the act approved the twenty-fifth day of June or

thousand nine hundred forty-seven (P. L. 916) are hereby further amended to read as follows

Section 3 The provisions of this act shall be administered by the [State Board of Vocational Education] State Board of Private Trade Schools which in connection therewith shall have the power to make and to enforce rules and regulations and to make and promulgate standards of instruction not inconsistent with the provisions of this act [The board shall appoint an advisory committee of five or more members selected from persons active in the private trade school field a representative of general industry and a representative of labor whose duties shall be to advise to make recommendations to the board regarding rules codes and other regulations for the licensing of schools and agents and to make and to promulgate standards of qualifications for schools and agents so licensed]

Section 4 [Effective one hundred eighty (180) days after final enactment of this act no] (a) No private trade school or classes shall continue [in] operation or [shall] be established [or no agent of such school or classes shall solicit students] within the Commonwealth unless [there is first secured] such school or classes apply for and obtain from the board a license [issued in such form as the board shall direct] in the manner and form prescribed by the board

(b) Within this Commonwealth no person or persons shall advertise in behalf of or solicit prospective students to enroll in a school or classes to be established within the Commonwealth of Pennsylvania prior to the establishment of such school or classes unless such person or persons shall apply to the board for a license in the manner and form prescribed by the board and shall receive from the board authorization to conduct such activities

(c) Within this Commonwealth no person or persons shall solicit prospective students to enroll in a school or classes to be established outside the Commonwealth of Pennsylvania prior to the establishment of such school or classes unless such person or persons shall apply for and obtain from the board an agent's license in the manner and form prescribed by the board

(d) No person or persons shall solicit any prospective students within this Commonwealth to enroll in a school or classes located within or outside this Commonwealth unless such school or classes have been approved by the board and unless such person or persons shall apply for and obtain from the board an agent's license in the manner and form prescribed by the board

Section 4 Section six of said act is hereby amended to read as follows

Section 6 Each school shall have a separate license and it shall not be transferable Any license issued shall be restricted to the fields or courses specifically indicated in the application for a license The holder of a license shall present a supplementary application as may be directed by the board for approval of additional fields or courses in which it is desired to offer instructions during the effective period of the license

Section 5 Section seven of said act as amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 916) is hereby further amended to read as follows

Section 7 Each original application for a school shall be accompanied by a license fee of [fifty dollars (\$50.00)] two hundred dollars (\$200.00) and each application for the renewal of a license shall be accompanied by a license fee of [twenty-five dollars (\$25.00)] two hundred dollars (\$200.00) When an application for a license is submitted after the beginning of the seventh month of the license year the license fee shall be one-half ( $\frac{1}{2}$ ) the annual license fee No fee shall be charged for a supplementary application for the approval of additional fields of courses of instruction Each application for an agent shall be accompanied by a license fee of five dollars (\$5.00) and each application for renewal of license for the agent shall be accompanied by a license fee of five dollars (\$5.00)

All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue No license fees shall be refunded in the event any license is [refused] suspended or revoked [or for any other reason]

Section 6 Section ten of said act is hereby amended to read as follows

Section 10 [Any license issued under the provisions of this act may be revoked or suspended by the board for cause Before any license is suspended or revoked the board shall serve a notice thereof on the licensee together with a statement of the reason for its action and the licensee upon request therefor shall be entitled to a hearing before the board and shall be afforded a full opportunity to appear before the board or an authorized member or agent of the board to state his case and to produce such evidence as he shall deem necessary]

Any person aggrieved by the action of the board in refusing to issue or renew or in suspending or revoking any license may appeal from the action of the board to the court of common pleas of Dauphin County but such appeal shall not unless so ordered by the court operate as a supersedeas to the order of the board The court shall fix a day for hearing the appeal of which due notice shall be given to the board The appeal shall be heard de novo and after such hearing the court shall affirm modify or reverse the action of the board as it seems just and proper The action of the court shall be final Under the provisions of this act the board shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the board shall find

(1) That the licensee has violated any of the provisions of this act or any of the rules and regulations of the board

(2) That the applicant or licensee has knowingly presented to the board false incomplete or misleading information relating to licensure

(3) That the applicant or licensee has pleaded guilty entered a plea of nolo contendere or has been found guilty of a crime involving moral turpitude by a judge or jury in any state or Federal court

(4) That the applicant licensee or any employee in a school which is amenable to this act is addicted to the use of morphine cocaine or other drugs having a similar effect or is or shall become mentally incompetent

(5) That the applicant or licensee has failed or refused to permit the board and/or its representatives to inspect the school or classes or has failed or refused to make available to the board at any time when requested to do so full information pertaining to any or all items of information contained in an application for license or pertaining to the program of instruction and matters relating thereto

(6) That the applicant has failed or refused to submit to the board an application for license in the manner and form prescribed by the board

(7) That a licensed school has failed or refused to display the current approved license where it may be inspected by students visitors and designated officials of the board

(8) That a licensed agent has failed or refused to display or produce his license when requested to do so by prospective students or designate officials of the board

(9) That the applicant or licensee has failed to provide or maintain premises equipment or conditions which are adequate safe and sanitary in accordance with such standards of the Commonwealth of Pennsylvania or any of its political subdivisions as are applicable to such premises and equipment

(10) That the licensee has perpetrated or committed fraud or deceit in advertising the school or classes or in presenting to prospective students written or oral information relating to the school or classes to employment opportunities or to opportunities for enrollment in institutions of higher learning

(11) That the licensee is employing teachers supervisors or administrators who have not been approved

by the board or agents who have not been licensed by the board

(12) That the licensee has failed to provide and maintain adequate premises equipment materials or supplies or has exceeded the maximum enrollment for which the school or class was licensed

(13) That the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative supervisory or teaching staff

(14) That the applicant or licensee is unable to provide and maintain financial resources in sufficient amount to equip and maintain adequately and effectively the school or classes

(15) That the licensee has moved the school into new premises or facilities or has altered or made additions to premises or facilities before notifying the board of such change and before receiving from the board approval for the new premises or facilities alterations or additions

(16) That the licensee has offered training or instruction in courses or subjects which have not been approved and authorized by the board

(17) That a licensed agent has solicited prospective students to enroll in a school which has not been approved by the board and which is not listed on the license issued by the board Any license issued under the provisions of this act may be revoked or suspended by the board for cause The procedure to be followed in the refusal suspension and revocation of licenses and in appeals taken from actions of the Board shall be that prescribed by the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) known as the Administrative Agency Law and its amendments

Section 2 This act shall become effective the first day of June one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibeon,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglass,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,

Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 629, as follows:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employee" and "Original member" to include persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 335) the act approved the sixteenth day of June one thousand nine hundred forty-seven (P. L. 611) the act approved the sixteenth day of June one thousand nine hundred forty-seven (P. L. 616) the act approved the sixteenth day of June one thousand nine hundred forty-seven (P. L. 620) the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1149) and the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1342) are hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning

is plainly required by the context shall have the following meanings

\* \* \*

6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania and also all present future or former members of the General Assembly who receive or have received their salaries for regular and special sessions of the legislature as fixed by law and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Interstate Commission on the Delaware River Basin as of the date of entering the service of such commission and of the Delaware River Joint Commission the Delaware River Joint Toll Bridge Commission and of the Pennsylvania Turnpike Commission paid on a yearly or monthly basis if the Interstate Commission on the Delaware River Basin the Delaware River Joint Commission the Delaware River Joint Toll Bridge Commission and the Pennsylvania Turnpike Commission shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she

was a member of the public school employes' retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session or who receive no fixed annual or monthly salary but are paid only upon a per diem basis during legislative sessions and subsequent thereto

Employes of the respective institutions acquired by the Commonwealth from counties cities wards boroughs townships institution districts and other political subdivisions that are actually used as State mental hospitals under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) or its amendments who as of the effective date of this act are contributors or who on or before the thirtieth day of June one thousand nine hundred forty-seven become contributors to this fund shall for the purposes of this act be deemed to have been "State employes" from the time they first entered the employ of such institution even though the same may have been prior to the acquisition of the institution by the Commonwealth if such employe shall pay to the retirement association a sum equal to all the back payments which such employe would have made had he or she become a member of the retirement association at the time he or she was first employed by such institution Such back payments may be spread over a period of years by having the regular payroll deduction of such employe increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted If not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

The term "State employe" shall also include State officers and employes regularly employed on a per diem or hourly basis or partly at a fixed annual or monthly salary and partly on a per diem or hourly basis Regular employment shall not be construed to include employment of less than one hundred days or seven hundred fifty hours in any year

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

\* \* \*

9 "Original member" of the retirement association shall mean a State employe who was at any time a State employe prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five or any State employe who is an employe of any of the respective institutions acquired by the Commonwealth from any county city ward borough township institution district or other political subdivision for actual use as a State mental hospital under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) or its amendments who was at any time an employe of such institution prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred forty-seven or in any case where subsequent to

such date the definition of "State employe" has been changed so as to include additional persons not previously classed as State employes if any such person shall have become a member of the retirement association on or before the thirty-first day of December next following the effective date of the act under the provisions of which he was enabled to become a member of the association and he expressly elects to become an "original member"

Any such State employe who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established

Where back payments are based on hourly or per diem wages and wage records are not available for the entire time of the person's employment the deductions for the period for which records are not available shall be computed by using the average of the earliest two-year period for which records are available

Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

Original member of the retirement association shall also mean any person employed on the effective date of this amendment by the State Board of Law Examiners of the Supreme Court of Pennsylvania who has been continuously so employed since January first one thousand nine hundred and forty and who on the effective date of this amendment is a contributor

Original member of the retirement association shall also mean any person who is a member of the General Assembly on the effective date of this amendment and who shall elect on or before December thirty-first one thousand nine hundred and forty-seven to become a member of the retirement association as of January first one thousand nine hundred and forty-seven

Original member of the retirement association shall also mean any person who was formerly a member of the General Assembly and who on the effective date of this amendment is a contributor

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

#### MOTION TO DROP FROM CALENDAR

Mr. WORLEY. Mr. Speaker, I move that this bill be dropped from the calendar.

On the question,

Will the House agree to the motion?

Mr. BRUNNER. Mr. Speaker, I request that the House vote down this motion.

Mr. HOMER S. BROWN. Mr. Speaker, I join with the Majority Leader in asking that the House vote down the motion.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarra,
Baumunk,	Glemböckl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Yaffe,
Ferster,	Kondrath,	Reagan,	Yeakel,
Filo,	Kratz,	Reese,	Yester,
Firmstone,	Kurtz,	Reidenbach,	Yetzer,
Flack,	Lederer,	Reilly, J. M.,	Young,
Fleming,	Lee,	Reynolds,	Ziegler,
Floyd,	Leisey,	Riley, R. L.,	Sorg,
Fox,	Leonard,	Robbins,	Speaker
Frank,	Limper,	Robertson,	

#### NAYS—1

Worley,

Krise,

#### NOT VOTING—1

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 633, as follows:

An Act to amend section eight of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by requiring an operator to file a new bond with the Department of Mines at the end of an operational year covering such acres as he estimates will be affected during the coming year which are not included in a former bond and extending any unencumbered portion of a bond already filed with the department so as to include and cover new acres

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" is hereby amended to read as follows

Section 8 Within thirty(30) days after the close of the [first year's operation] year for which the permit was issued and likewise after the close of each subsequent [year's operation] year the operator if his operation is not completed or abandoned shall file with the Department of Mines a new bond covering such new acres acres not included in the preceding year's estimate as he may estimate will be affected during the following year The bond shall be at the rate of two hundred dollars (\$200) per acre [for each acre covered by the previous bond and remaining to be be stripped or backfilled The bond shall not be less than two thousand dollars (\$2000)] and shall be accompanied by an annual report upon [forms] a form furnished by the Department [describing the area of] setting forth the number of acres of land affected during the preceding year and the [areal number of acres of land that will be affected during the ensuing year [under each permit] at each operation

Provided however that any portion of a bond covering an operation which may remain unencumbered at the end of an operational year may be applied at the rate of two hundred dollars (\$200) per acre to acres of land which the operator anticipates will be affected during the following year

Provided however that any portion of a bond covering an operation which may remain unencumbered at the end of an operational year may be applied at the rate of two hundred dollars (\$200) per acre to acres of land which

the operator anticipates will be affected during the following year

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarraff,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jlm,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weldner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Weish,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Proper,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krlse.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 634, as follows:

An Act to amend rule forty of article twelve of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by eliminating the need for the presence of a footman and headman at certain slopes and shafts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Rule forty of article twelve of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended as follows

### Article XII

#### General Rules

The following general rules shall be observed in every mine to which this act applies

\* \* \* \* \*

Rule 40 At every shaft or slope in which provision is made in this act for lowering and hoisting persons a headman and footman shall be designated by the superintendent or foreman to be at their proper places from the time that persons begin to descend until all the persons who may be at the bottom of said shaft or slope when quitting work shall be hoisted Such headman and footman shall personally attend to the signals and see that the provisions of this act in respect to lowering and hoisting persons in shafts or slopes shall be complied with Provided That in slopes where persons are hoisted and lowered and where the tops of such slopes are in clear view of the engineer in charge of the hoisting machinery and where signaling stations or bell buttons are installed along the slope in such manner that the engineer may be promptly signaled to stop the trip in case of need the footman may accompany the persons ascending or descending the slope and personally perform such duties as are imposed by this act upon the headman and footman The signaling stations or bell buttons shall be installed at convenient points along the slope as prescribed by the mine inspector but in no case shall such signaling stations be separated by more than one hundred (100) feet excepting in such cases where it would be unsafe to use the signaling system because of the pitch of the slope Provided further That a headman and footman need not be employed in such cases where a shaft is fitted with an elevator operated by a person employed for that purpose and constructed in such manner that the top and bottom of the shaft is fitted with doors or gates controlled by the elevators and where the elevator contains all such safety features as are now or may hereafter be commonly used in the operation and installation of elevators

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COLE. Mr. Speaker, there are some good provisions in the bill but there is one that we do not like too well, as we are afraid it is going to eliminate one man in certain mines, and so we ask the Members of the House to vote against the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—110

Altshuler,	Flack,	Kline,	Robbins,
Barkdoll,	Fleming,	Kohl,	Robertson,
Baumunk,	Fox,	Kratz,	Royer,
Bednarek,	Frank,	Kurtz,	Sax,
Bloom,	Frost,	Lee,	Scott,
Bombberger,	Gallagher,	Lelsey,	Shoemaker,
Boorse,	George,	Loftus,	Smith, C. C.,
Bower,	Gibson,	Madigan,	Sollenberger,
Breisch,	Goodling,	McCormack,	Spencer,
Brown, W. E.,	Graybill,	McCullough,	Stimmel,
Brunner,	Green,	McKinney,	Stuart,
Cadwalader,	Greenwood,	McMillen,	Tahl,
Clapper,	Greer,	Miller,	Thompson,
Clendening,	Guthrie,	Milliken,	Tompkins,
Cooper,	Hall,	Mintess,	Toomey,
Costa,	Harney,	Moore, C. E.,	Wachhaus,
Dalrymple,	Haudenshield,	Moore, H. A.,	Wagner,
DeLong,	Helm,	Murray,	Waterhouse,
Dennison,	Herman,	Najaka,	Watkins,
Depuy,	Hewitt,	Neff,	Weidner,
Driscoll,	Hocker,	O'Dare,	Wescott,
Dye,	Hoffman,	O'Donnell,	Wood,
Elder,	Jennings,	Orban,	Yaffe,
Erb,	Johnson,	Price, H. W., Jr.,	Yeakel,
Ewing,	Jump,	Probert,	Young,
Felton,	Keller,	Reagan,	Ziegler,
Ferster,	Kemp,	Reilly, J. M.,	Sorg,
Firmstone,	Kent,	Riley, R. L.,	Speaker

#### NAYS—87

Amarando,	Hamilton,	Monroe,	Scanlon,
Andrews,	Harris,	Moran,	Schmidt,
Bane,	Heatherington,	Munley,	Schuster,
Blair,	Hersch,	Musto,	Seyler,
Brandon,	Hunter,	Nagel,	Smith, W. B.,
Breth,	Jenkins,	Needham,	Snider,
Brice,	Jim,	Nixon,	Stank,
Brown, H. S.,	Jones, G. E.,	Peta,	Sternberg,
Bucchin,	Jones, J. M.,	Petrosky,	Swope,
Cole,	Kamyk,	Pettigrew,	Taylor,
Coleman,	Kirley,	Praff,	Varallo,
Conway,	Kolankiewicz,	Polen,	Varner,
Dougherty,	Kondrath,	Posta,	Wargo,
Duffy,	Lederer,	Powers,	Weiss,
Evans,	Leonard,	Price, R. A.,	Welsh,
Filo,	Limper,	Readinger,	Westrick,
Floyd,	Lovett,	Reese,	Wheeler,
Gaffney,	McGee,	Reldenbach,	Williams,
Glembocki,	McNally,	Reynolds,	Worley,
Good,	Mihm,	Rosen,	Yester,
Guarnieri,	Mikula,	Rovansek,	Yetzer,
Hagerty,	Mills,	Sarrafi,	

#### NOT VOTING—11

Beaver,	Hoggard,	Penglase,	Rose,
Boles,	Krise,	Pentrack,	Verona,
Cochran,	Olsen,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 637, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties

and repealing existing laws" by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred ten of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 955) is hereby further amended to read as follows

Section 311 Computation of Unearned Premium Liability In determining the liabilities upon its contracts of insurance of any insurance company other than life insurance companies and the amount such company should hold as an unearned premium liability the Insurance Commissioner shall for casualty insurance except in the case of non-cancellable health accident insurance issued on and after January first one thousand nine hundred fifty charge one-half of the premium on all annual policies written within one year and on policies written for more than one year he shall charge one-half of the current year's premiums plus the whole of the premiums for subsequent years For fire insurance he shall charge fifty per centum of the premiums written in their policies upon all unexpired risks that have one year or less than one year to run and a pro rata of all premiums on risks having more than one year to run on perpetual insurance he shall charge the cash deposit received less a surrender charge of not exceeding ten per centum thereof For marine and inland insurance he shall charge fifty per centum of the premium written in the policy upon yearly risks and upon risks covering more than one passage not terminated and the full amount of the premium written in the policy upon all other marine and inland risks not terminated Provided That the Insurance Commissioner may in his discretion charge a premium reserve equal to the unearned portions of the gross premiums charged computed on each respective risk from the date of the issuance of the policy

Section 2 Section three hundred eleven of said act is hereby amended to read as follows

Section 311 Computation of Reserve Against Unpaid Losses in Casualty Insurance Other Than Non-Cancellable Health and Accident Insurance The Insurance Commissioner shall in calculating the reserve against unpaid losses of casualty insurance companies other than losses under non-cancellable health and accident insurance issued on and after January first one thousand nine hundred fifty liability and workmen's compensation policies set down by careful estimate in each case the loss likely to be incurred against every claim presented or that may be presented in pursuance of notice from the insured of the occurrence of an event that may result in a loss The sum of the items so estimated shall be the total amount of the reserve except that in credit insurance fifty per centum of the premiums on all credit policies expiring in the months of October November and December of the current year less the amount of losses paid on such policies shall in addition thereto be charged in the loss reserve

Section 3 Article three of said act is hereby amended by adding immediately after section three hundred eleven a new section to read as follows

Section 311.1 Computation of Policy and Loss Reserves Non-Cancellable Health and Accident Insurance Issued

On and After January First One Thousand Nine Hundred Fifty (a) The Insurance Commissioner shall each year value or cause to be valued or shall annually require the insurer to value or cause to be valued the reserve liabilities as of the thirty-first day of December of the preceding year of every casualty insurance company doing business in this Commonwealth with respect to all of its non-cancellable health and accident insurance issued on and after January first one thousand nine hundred fifty

(b) The legal minimum standard for computing the active life reserve including the unearned premium reserve of such non-cancellable health and accident policies shall be based on The Conference Modification of Class III Disability Table with interest not to exceed three and one-half per centum per annum on the full preliminary term basis The disabled life reserve under such non-cancellable health and accident policies issued on and after such date shall also be based on such table except that for claims of less than twenty-seven months' duration the reserve may be taken as equivalent to the prospective claim payment in the case of short term contracts or to three and one-half times the elapsed period of disability in the case of unlimited contracts Provided That in the case of unlimited contracts the reserve shall not be less than the equivalent of seven weeks' claim payments

(c) The Insurance Commissioner may modify the application of the requirements prescribed in this section to policies or to claims arising under policies in accordance with the waiting period contained in such policies and in accordance with any limitation as to the time for which indemnity is payable or in such other manner as the actual facts warrant

(d) The Insurance Commissioner may whenever he deems it prudent for the protection of policyholders in this Commonwealth vary the standard in particular cases The Insurance Commissioner may with respect to any foreign or alien insurer accept a like valuation of the insurance supervising official of the state province or foreign country in which such insurer is domiciled if such valuation is made upon a basis and according to standards producing an aggregate reserve not less than herein contained

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudensfield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,

Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglass,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. M.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 638, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" is hereby amended by adding immediately after section three hundred one a new section to read as follows

Section 301.1 Computation of Policy and Loss Reserves Non-cancellable Health and Accident Insurance (a) The Insurance Commissioners shall each year value or cause to be valued or shall annually require the insurer to

value or cause to be valued the reserve liabilities as of the thirty-first day of December of the preceding year of every life insurance company doing business in this Commonwealth with respect to all of its non-cancellable health and accident insurance issued on and after January first one thousand nine hundred fifty

(b) The legal minimum standard for computing the active life reserve including the unearned premium reserve of such non-cancellable health and accident policies issued on and after January first one thousand nine hundred fifty shall be based on the Conference Modification of Class III Disability Table with interest not to exceed three and one-half per centum per annum on the full preliminary term basis The disable life reserves under such non-cancellable health and accident policies issued on and after such date shall also be based on such table except that for claims of less than twenty-seven months duration the reserve may be taken as equivalent to the prospective claim payment In the case of short term contracts or to three and one-half times the lapsed period disability in the case of unlimited contracts Provided That in the case of unlimited contracts the reserve shall not be less than the equivalent of seven weeks' claim payments

(c) The Insurance Commissioner may modify the application of the requirements prescribed in this section to policies or to claims arising under policies in accordance with the waiting period contained in such policies and in accordance with any limitation as to the time for which indemnity is payable or in such other manner as the actual facts warrant

(d) The Insurance Commissioner may whenever he deems it prudent for the protection of policyholders in this Commonwealth vary the standard in particular cases This section shall not apply to total and permanent disability benefits supplementary to life insurance or annuity policies or contracts

Section 2 Section three hundred four of said act as amended by the act approved the first day of May one thousand nine hundred forty-five (P. L. 346) is hereby further amended to read as follows

Section 304 Valuations by Other States In lieu of the valuation of the reserves required in [section] sections 301 and 301.1 of this act of any foreign or alien company the Insurance Commissioner may accept any valuation made or caused to be made by the insurance supervisory official of any state or other jurisdiction when such valuation complies with the minimum standard provided in [section] sections 301 and 301.1 of this act and if the official of such state or jurisdiction accepts as sufficient and valid for all legal purposes the certificate of valuation of the Insurance Commissioner when such certificates states the valuation to have been made in a specified manner according to which the aggregate reserves would be at least as large as if they had been computed in the manner prescribed by the law of that state or jurisdiction Each such company shall furnish to the Insurance Commissioner on or before the first day of March in each year a certificate from the proper officer of such State or jurisdiction setting for the value of all the policies and contracts of the company in force on the previous thirty-first day of December Any such company failing to furnish such certificate shall be required to make a full detailed list of policies to the Insurance Commissioner and shall be liable for all charges and expenses resulting from the failure to furnish said certificate

Section 3 Article three of said act is hereby further amended by adding at the end thereof a new section and heading to read as follows

(e) Non-cancellable Health and Accident Insurance Section 325 Definition For the purposes of this act the term "non-cancellable health and accident insurance" means insurance against disability resulting from sickness ailment or bodily injury under a policy or contract under which the insurer does not have the option to cancel or otherwise terminate the contract at or after the expiration of one from its effective date but not including policies or contracts insuring solely against accidental

injury or total and permanent disability benefits supplementary to life insurance or annuity policies or contracts

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler.	Frost,	Loftus,	Rose,
Amarando.	Gaffney,	Lovett,	Rosen,
Andrews.	Gallagher,	Madigan,	Rovansek,
Bane.	George,	McCormack,	Royer,
Barkdall.	Gibson,	McCullough,	Sarra,
Baumunk.	Glembocki,	McGee,	Sax,
Beaver.	Good,	McKinney,	Scanlon,
Bednarek.	Goodling,	McMillen,	Schmidt,
Blair.	Graybill,	McNally,	Schuster,
Bloom.	Green,	Mihm,	Scott,
Boles.	Greenwood,	Mikula,	Seyler,
Bomberger.	Greer,	Miller,	Shoemaker,
Boorse.	Guarnieri,	Milliken,	Smith, C. O.,
Bower.	Guthrie,	Mills,	Smith, W. B.
Brandon.	Hagerty,	Mintess,	Snider,
Brelsch.	Hall,	Monroe,	Sollenberger,
Breth.	Hamilton,	Moore, C. E.,	Spencer,
Brice.	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner.	Heatherington,	Murray,	Stuart,
Bucchin.	Helm,	Musto,	Swope,
Cadwalader.	Herman,	Nagel,	Tahl,
Clapper.	Hersch,	Najaka,	Taylor,
Clendenning.	Hewitt,	Needham,	Thompson,
Cochran.	Hocker,	Neff,	Tompkins,
Cole.	Hoffman,	Nixon,	Toomey,
Coleman.	Hoggard,	O'Dare,	Vallo,
Conway.	Hunter,	O'Donnell,	Varner,
Cooper.	Jenkins,	Olsen,	Verona,
Costa.	Jennings,	Orban,	Wachhaus,
Dalrymple.	Jim,	Penglase,	Wagner,
DeLong.	Johnson,	Pentrack,	Wargo,
Dennison.	Jones, G. E.,	Peta,	Waterhouse,
Depuy.	Jones, J. M.,	Petrosky,	Watkins,
Dougherty.	Jump,	Pettigrew,	Weidner,
Driscoll.	Kamyk,	Praff,	Weiss,
Duffy.	Keller,	Polen,	Welsh,
Dye.	Kemp,	Posta,	Wescott,
Elder.	Kent,	Powers,	Westrick,
Erb.	Kirley,	Price, H. W., Jr.	Wheeler,
Evans.	Kline,	Price, R. A.,	Williams,
Ewing.	Kohl,	Probert,	Wood,
Felton.	Kolankiewicz,	Readinger,	Worley,
Ferster.	Kondrath,	Reagan,	Yaffe,
Filo.	Kratz,	Reese,	Yeakel,
Firmstone.	Kurtz,	Reidenbach,	Yester,
Flack.	Lederer,	Reilly, J. M.,	Yetzer,
Fleming.	Lee,	Reynolds,	Young,
Floyd.	Leisey,	Riley, R. L.,	Ziegler,
Fox.	Leonard,	Robbins,	Sorg,
Frank.	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krisse,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 645, as follows:

An Act requiring companies and organizations subject to the provisions of the act of June 11 1947 (P. L. 538) or the act of June 11 1947 (P. L. 551) or section 654

of the act of May 17 1921 (P. L. 682) to maintain uniform classifications of accounts and records make uniform reports providing for appeals to the Court of Common Pleas of Dauphin County and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Each stock or mutual insurance company association exchange employers mutual liability association and organization including the State Workmen's Insurance Fund which is subject to the provisions of the act of June 11 1947 (P. L. 538) or the act of June 11 1947 (P. L. 551) or section 654 of the act of May 17 1921 (P. L. 682) shall maintain uniform classifications of accounts and records as may be prescribed by the Insurance Commissioner

Section 2 Each stock or mutual insurance company association exchange employers mutual liability association and organization including the State Workmen's Insurance Fund which is subject to the provisions of the act of June 11 1947 (P. L. 538) or the act of June 11 1947 (P. L. 551) or section 654 of the act of May 17 1921 (P. L. 682) shall file such uniform reports relative to their business and transactions as the Insurance Commissioner may deem necessary Such reports except when otherwise provided by law shall be filed on the date prescribed by the Insurance Commissioner and in such form as may be determined by the Insurance Commissioner

Section 3 Any insurance company association exchange or organization to which this act applies which neglects or refuses to maintain its records as herein provided for or which neglects or refuses to file uniform reports shall forfeit a sum not to exceed one hundred dollars (\$100) per day for each day during which such neglect or refusal continues and upon notice by the Insurance Commissioner its authority to do new business shall cease while such default continues For wilfully making false reports any insurance company association exchange or organization to which this act applies and the persons making oath to or subscribing the same shall severally be punished by a fine of not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5000) A person who wilfully makes oath to such false report shall be guilty of perjury

Section 4 No action shall be taken by the Insurance Commissioner under the provisions of section 3 of this act except after a hearing held upon ten days written notice to the party or parties concerned Classifications of accounts and records or reports shall be prescribed by the Insurance Commissioner under the provisions of this act only upon notice and after hearing to all parties affected thereby and rules and regulations relating thereto shall be promulgated by the Insurance Commissioner at least six months before the effective date thereof Any party or parties aggrieved by action of the Insurance Commissioner under this act may appeal to the Court of Common Pleas of Dauphin County

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler.	Frost,	Loftus,	Rose,
Amarando.	Gaffney.	Lovett,	Rosen,
Andrews.	Gallagher,	Madigan,	Rovansek,
Bane.	George,	McCormack,	Royer,
Barkdoll.	Gibson,	McCullough,	Sarra,
Baumunk.	Glembocki,	McGee,	Sax,
Beaver.	Good,	McKinney,	Scanlon,
Bednarek.	Goodling.	McMillen,	Schmidt,
Blair.	Graybill,	McNally,	Schuster,
Bloom.	Green,	Mihm,	Scott,
Boles.	Greenwood,	Mikula,	Seyler,
Bomberger.	Greer,	Miller,	Shoemaker,
Boorse.	Guarnieri,	Milliken,	Smith, C. O.,

Bower,  
Brandon,  
Breisch,  
Breth,  
Brice,  
Brown, H. S.,  
Brown, W. E.,  
Brunner,  
Bucchin,  
Cadwalader,  
Clapper,  
Clendening,  
Cochran,  
Cole,  
Coleman,  
Conway,  
Cooper,  
Costa,  
Dalrymple,  
DeLong,  
Dennison,  
Depuy,  
Dougherty,  
Driscoll,  
Duffy,  
Dye,  
Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank,

Guthrie,  
Hagerty,  
Hall,  
Hamilton,  
Harney,  
Harris,  
Haudenshield,  
Heatherington,  
Helm,  
Herman,  
Hersch,  
Hewitt,  
Hocker,  
Hoffman,  
Hoggard,  
Hunter,  
Jenkins,  
Jennings,  
Jim,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jump,  
Kamyk,  
Keller,  
Kemp,  
Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Leisey,  
Leonard,  
Limper,

Mills,  
Mintess,  
Monroe,  
Moore, C. E.,  
Moore, H. A.,  
Moran,  
Munley,  
Murray,  
Musto,  
Nagel,  
Najaka,  
Needham,  
Neff,  
Nixon,  
O'Dare,  
O'Donnell,  
Olsen,  
Orban,  
Penglase,  
Petrack,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Polen,  
Posta,  
Powers,  
Price, H. W., Jr.,  
Price, R. A.,  
Propert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Smith, W. B.,  
Snider,  
Sollenberger,  
Spencer,  
Stank,  
Sternberg,  
Stimmel,  
Stuart,  
Swope,  
Tahl,  
Taylor,  
Thompson,  
Tompkins,  
Toomey,  
Varallo,  
Varner,  
Verona,  
Wachhaus,  
Wagner,  
Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Weiss,  
Welsh,  
Wescott,  
Westrick,  
Wheeler,  
Williams,  
Wood,  
Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,

Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 650, as follows:

An Act to add section thirty point one of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulated such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the computation of certificate and loss reserves with respect to noncancellable health and accident benefits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventeenth day of July

one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" is hereby amended by adding immediately after section thirty a new section to read as follows

Section 30.1 Computation of Certificate ad Loss Reserves Non-cancellable Health and Accident Benefits Issued on and After January First One Thousand Nine Hundred Fifty (a) The Insurance Commissioner shall each year value or cause to be valued or shall annually require the insurer to value or cause to be valued the reserve liabilities as of the thirty-first day of December of the preceding year of every fraternal benefit society doing business in this Commonwealth with respect to all of its noncancellable health and accident benefits issued on and after January first one thousand nine hundred fifty

(b) The legal minimum standard for computing the active life reserve including the unearned premium reserve of such noncancellable health and accident certificates issued on and after January first one thousand nine hundred fifty shall be based on The Disabled Life Conference Modification of Class III Disability Table with interest not to exceed three and one-half per centum per annum on the full preliminary term basis The reserve under such noncancellable health and accident certificates issued on and after such date shall also be based on such table except that for claims of less than twenty-seven months duration the reserve may be taken as equivalent to the prospective claim payment In the case of short term contracts or to three and one-half times the lapsed period of disability in the case of unlimited contracts Provided That in the case of unlimited contracts the reserve shall not be less than the equivalent of seven weeks' claim payments

(c) Noncancellable health and accident benefits means benefits against disability resulting from sickness ailment or bodily injury under a certificate under which the society does not have the option to cancel or otherwise terminate the certificate at or after the expiration of one year from is effective date

(d) The Insurance Commissioner may modify the application of the requirements prescribed in this section to certificates or to claims arising under certificates in accordance with the waiting period contained in such certificates and in accordance with any limitation as to the time for which indemnity is payable or in such other manner as the actual facts warrant

(e) The Insurance Commissioner may whenever he deems it prudent for the protection of certificate holders in this Commonwealth vary the standard in particular cases The Insurance Commissioner may with respect to any foreign or alien society accept a life valuation of the insurance supervising official of the state province or foreign country in which such society is domiciled if such valuation is made upon a basis and according to standard producing an aggregate reserve not less than herein contained

(f) Nothing contained in this section shall be construed as applying to the subordinate bodies or branches by whatever name known of such societies whose subordinate bodies or branches provide for health and accident benefits independent of the supreme body

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Galagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembooki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood	Mikula,	Seyler,
Bomberger,	Grear,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsach,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudensfield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swepe,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Gole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Young,
Fleming,	Lee,	Reynolds,	Ziegler,
Floyd,	Lelsey,	Riley, R. L.,	Sorg,
Fox,	Leonard,	Robbins,	
Frank,	Limper,	Robertson,	

Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 651, as follows:

An Act to amend section five of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1643) entitled "An act relating to certain existing beneficial societies conferring certain rights powers and duties upon them their officers and mem-

bers authorizing the payment of benefits by them in the event of sickness accident disability or death regulating such societies and corporations and limiting the amount for which they may issue membership certificates or policies providing for reserves imposing penalties and repealing certain existing laws and parts of law" by changing the reserve requirements for such societies with respect to certain non-cancellable health and accident insurance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1643) entitled "An act relating to certain existing beneficial societies conferring certain rights powers and duties upon them their officers and members authorizing the payment of benefits by them in the event of sickness accident disability or death regulating such societies and corporations and limiting the amount for which they may issue membership certificates or policies providing for reserves imposing penalties and repealing certain existing laws and parts of law" is hereby amended to read as follows

Section 5 Reserves A A beneficial society doing business in this Commonwealth shall [hereafter] at all times maintain reserves as follows

(1) On the life portion contained in all policies or contracts [hereafter issued] reserves shall be based upon a standard table of mortality approved by the Insurance Commissioner with interest at a rate also approved by the Insurance Commissioner and such reserves shall be computed in accordance with the requirements provided by law for the computation of the reserve liability for life insurance

(2) On the disability portion except in the case of non-cancellable health and accident insurance issued on and after January first nineteen hundred fifty contained in all policies or contracts [hereafter issued] reserves shall be computed in accordance with the requirements provided by law for the computation of the unearned premium reserve liability for casualty insurance

(3) For all definite and outstanding claims reserves shall be calculated in accordance with the requirements provided by law for the computation of reserves against unpaid losses in casualty insurance other than losses under non-cancellable health and accident insurance issued on and after January first nineteen hundred fifty compensation or liability insurance

(4) On the non-cancellable health and accident insurance portion contained in all policies or contracts issued on and after January first nineteen hundred fifty reserves shall be computed in accordance with the requirements provided by law for the computation of policy and loss reserves for non-cancellable health and accident insurance

(5) Non-cancellable health and accident insurance means insurance against disability resulting from sickness ailment or bodily injury under a policy or contract under which the insurer does not have the option to cancel or otherwise terminate the contract at or after the expiration of one year from its effective date

B A sum equal to the amount of the reserves required by this section shall be invested in those investments authorized by law for the investment of the reserve funds of life insurance companies

C The Insurance Commissioner shall each year approve the computation of the reserve liability as of the thirty-first day of December of the preceding year of every beneficial society authorized to make insurance on lives in this Commonwealth

D Whenever any beneficial society doing business in this Commonwealth has not on hand the net value of all policies in force after all other debts and claims against it have been provided for the Insurance Commissioner shall notify such beneficial society to issue no new policies until its funds become equal to its liabilities

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Pengilase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weldner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.	Wheeler,
Evans,	Kline,	Price, E. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILL PASSED OVER

There being no objection

Senate Bill No. 669, Printer's No. 693 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 670, entitled:

An Act to amend section six hundred one six hundred four seven hundred one seven hundred two and seven hundred three of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by specifying dates with respect to the preparation and submission of assessments rolls the inspection of such rolls notices to taxpayers appeals from assessments and hearings thereon the certification of assessed valuation and the delivery of assessments to taxing districts

On the question,

Will the House agree to the bill on third reading?

## BILL DROPPED FROM CALENDAR

Mr. ROBERTSON. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 671, entitled:

An Act to amend section one hundred two clause (a) of section three hundred six clauses (b) and (d) of section three hundred seven clauses (a) and (b) of section three hundred eight clause (a) of section three hundred fourteen clause (a) of section five hundred one and sections six hundred one seven hundred one and seven hundred three of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by authorizing counties to elect to become subject to said act providing for the transfer of tax claims to the Tax Claim Bureau and for the determination of the validity of tax claims

changing dates for the return of property on which taxes are delinquent for making up claims for notice to delinquent taxpayers for the period of redemption and for tax sales providing when interest shall begin to run on returned taxes and providing for the stay of tax sales by the court of common pleas

On the question,

Will the House agree to the bill on third reading?

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, lines 1 and 2 by striking out the following: "clause (a) of section three hundred six clauses (b) and (d)" and insert in lieu thereof "clause (b)."

Amend title, page 1, lines 2 and 3 by striking out the following beginning near the end of line two after the word "seven" the following "clauses (a) and" and insert in lieu thereof "clause."

Amend title, page 1, line 4, by striking out the following "clause (a) of section five hundred one."

Amend title, page 3, line 7, by striking out the following "changing dates for the return" and all of lines 8, 9, and 10 and the words "returned taxes" in line 11.

Amend section 1, page 3, line 1, by striking out the following "clause (a) of section three."

Amend section 1, page 3, line 2, by striking out at the beginning of the line the following "hundred six clauses (d) and (d)" and insert the following "clause (b)."

Amend section 1, page 3, line 2, by striking out the word "clauses" at the end of the line.

Amend section 1, page 3, line 3, by striking out at the beginning of the line the following "(a) and" and insert "clause."

Amend section 1, page 3, line 4, by striking out the following "clause (a) of section five hundred one."

Amend section 1 (section 306) page 8, by striking out all of lines 6 to 20 inclusive.

Amend section 1 (section 306) page 9, by striking out all of lines 1 to 6 inclusive.

Amend section 1 (section 307) page 10, by striking out all of lines 6 to 17 inclusive.

Amend section 1 (section 308) page 10, by striking out all of lines 19 and 20.

Amend section 1 (section 308) page 11, by striking out all of lines 1 to 16 inclusive.

Amend section 1 (section 501) page 12, by striking out all of lines 15 to 19 inclusive.

Amend section 1 (section 501) page 13, by striking out all of lines 1 to 12 inclusive.

Amend section 1 (section 601) page 13, line 13, by striking out the strike out bracket before the word "the."

Amend section 1 (section 601) page 13, line 14, by striking out the strike out bracket after the word "July."

Amend section 1 (section 601) page 13, line 14, by striking out the words "August fifteenth."

Mr. ROBERTSON. Mr. Speaker, these amendments merely take out of 671 the fiscal year provision and leaves the amendment in for the tax year part of the bill.

Mr. HOMER S. BROWN. Mr. Speaker, we have no objections to the amendment.

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill 672, entitled:

An Act to amend section six and section ten clause (a) of section twenty-one and section twenty-six and to repeal section eleven of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing for notices to taxables for discounts and penalties for collection of taxes by suit and for the settlement of tax duplicates abolishing payment of taxes in installments and regulating the collection discounts penalties the settlement of duplicates and return and lien of unpaid taxes on real property for the temporary fiscal period from the first Monday of January one thousand nine hundred fifty and ending June thirtieth one thousand nine hundred fifty

On the question,

Will the House agree to the bill on third reading?

#### BILL DROPPED FROM CALENDAR

Mr. ROBERTSON. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 673, entitled:

An Act to further amend section one and clause (a) of section eight of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by changing the times for the return of delinquent taxes on real estate for tax sales and when interest shall begin to run

On the question,

Will the House agree to the bill on third reading?

#### BILL DROPPED FROM CALENDAR

Mr. ROBERTSON. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill 674, entitled:

An Act to amend section four hundred one four hundred forty-one five hundred seven five hundred fifteen and five hundred sixteen of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by changing dates for the issuing of precepts to assessors for returns by assessors where optional assess-

ments are made for the completion of transcripts of assessment and for the furnishing of duplicates

On the question,

Will the House agree to the bill on third reading?

#### BILL DROPPED FROM CALENDAR

Mr. ROBERTSON. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 689, Printer's No. 571,

Senate Bill No. 700, Printer's No. 714,

Senate Bill No. 701, Printer's No. 730 and

Senate Bill No. 702, Printer's No. 683,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 703, as follows:

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by excluding auctioneers of land from the definition of real estate broker or salesman

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 767) and the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 965) is hereby further amended to read as follows

#### Section 2

(c) Neither of the said terms "real estate broker" or "real estate salesman" shall be held to include within the meaning of this act any person firm association partnership or corporation who as owner shall perform any of the acts with reference to property owned by them nor any person who sells land by public auction for or on behalf of the owner or owners thereof nor any person holding in good faith a duly executed letter of attorney from the actual owner of any real estate authorizing the sale conveyance or leasing of such real estate for and in the name of such owner or the negotiating of any loan thereon where such letter of attorney is recorded in the office of the recorder of deeds nor shall they be held to include in any way attorneys at law and justices of the peace nor shall they be held to include any receiver trustee in bankruptcy administrator or executor or any other person or corporation acting under the appointment or order of any court or as trustee under the authority of a will or deed of trust where only the transactions pertaining thereto are involved or the duly elected executive officer of any banking institution or trust company operating under the banking laws of Pennsylvania nor shall they be held to include any officer or employee of a cemetery company who as incidental to his principal duties and without remuneration therefor shows lots in such company's cemetery to persons for their use as a family burial lot and who accepts deposits on such lots for the representatives of the cemetery company legally authorized to sell the same

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando.	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weldner,
Driscoll,	Kamyk,	Praff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 716, as follows:

An Act creating a Highway Planning Commission to develop a long-range highway program for the Commonwealth and to make report thereon defining the power

and duties of the commission and making an appropriation out of the Motor License Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 A commission is hereby created which shall consist of eleven members who shall be appointed by the Governor The commission shall be known as the "Highway Planning Commission" The commission shall organize at the call of the Governor by electing a chairman vice chairman and a secretary The secretary need not be a member of the commission The members of the commission shall serve without compensation but shall be reimbursed for all expenses incurred in the discharge of their duties

Section 2 It shall be the duty of the commission to ascertain gather study and analyze all pertinent facts material and data deemed pertinent to and necessary for the development of a long-range highway program for the Commonwealth including but not limited to the classification of highways roads and streets of the State the construction reconstruction improvement and maintenance of the highways roads streets and bridges the ways and means of financing such long-range highway program and the nature and character of the administration needed to carry such program into effect

The plans for such long-range highway program shall be developed in accordance with sound engineering and fiscal practices

Section 3 Such long-range highway program shall take into consideration the actual and anticipated traffic needs and requirements as the commission may develop the same from available information and statistics such as are contained in the State-wide Highway Planning Survey developed jointly by the Department of Highways and the United States Public Roads Administration from other facts and material developed through field studies and observations made under the supervision of the commission and from information secured by the commission through the medium of public hearings and scientific investigations

Section 4 Such long-range highway program shall take into consideration the practical and economic problems involved in new highway locations for avoiding congested areas the improvement of urban main highways and farm-to-market roads the limitation of dangerous traffic conditions and methods for providing systematic year-round maintenance of the highways roads streets and bridges

Section 5 The commission shall have power to employ and fix the compensation of such engineers experts assistants clerks stenographers and other employes as may be deemed necessary to carry out the work of the commission The commission shall require and secure the cooperation of the Department of Highways and all State officials who are charged with any duties and responsibilities relating to the administration improvement and financing of the highways and also of county municipal and township officials in investigating any matter coming within the terms of this act The commission shall to the fullest extent possible seek the aid and cooperation of private agencies and organizations in carrying on its work of developing a long-range highway program

Section 6 The commission shall make a final report to the Governor not later than the first day of November one thousand nine hundred fifty of the plans it has developed for a long-range highway program in accordance with this act including drafts of legislation it deems necessary to carry out such program The commission shall also file copies of its reports with both Houses of the General Assembly not later than the first day of February one thousand nine hundred fifty-one

Section 7 The sum of four hundred thousand dollars (\$400,000) or so much thereof as may be necessary is hereby specifically appropriated to the Highway Planning Commission created by this act out of the Motor License Fund for the payment of the expenses of the members of the commission for the payment of the compensation and expenses of the secretary engineers experts assistants clerks stenographers and other employes of the

commission for the purchase of supplies material and equipment for printing postage telephone telegraph rent and miscellaneous expenses and generally for the purposes of carrying into effect the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. G.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buechlin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglass,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 725, as follows:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation of pulpwood or chemical wood from broadening woodlots exemption for hauling agricultural products or farm supplies and eliminating expired provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the pro-

visions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as temporarily amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1181) and by the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1206) are hereby further amended to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

\* \* \* \* \*

(6) "Common Carrier by Motor Vehicle" means any common carrier who or which holds out or undertakes the transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes any motor vehicle with or without driver for transportation or for use in transportation of persons or property as aforesaid and shall include common carriers by rail water or air and express or forwarding public utilities in so far as such common carriers or such public utilities are engaged in such motor vehicle operations but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor or cooperative agricultural association hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated and road construction materials (e) transportation of property by the owner to himself or to purchasers directly from him in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others (f

transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [(g) any person or corporation who or which uses or furnishes for use trucks for the transportation of wood used in the manufacture of charcoal and wood chemicals (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper] or (g) transportation of pulpwood or chemical wood from woodlots

(7) "Contract Carrier by Motor Vehicle" means any person or corporation who or which provides or furnishes transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes with or without drivers any motor vehicle for such transportation or for use in such transportation other than as a common carrier by motor vehicle but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) any bona fide agricultural cooperative association transporting property exclusively for the members of such association on a non-profit basis or any independent contractor hauling exclusively for such association or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (e) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated or road construction materials or (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [(g) any person or corporation who or which uses or furnishes for use trucks for the transportation of wood used in the manufacture of charcoal and wood chemicals (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper] or (g) transportation of pulpwood or chemical wood from woodlots

(20) "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done rendered or performed and any and all things furnished or supplied and any and all facilities used furnished or supplied by public utilities or contract carriers by motor vehicle in the performance of their duties under this act to their patrons employes other public utilities and the public as well as the interchange of facilities between two or more of them but shall not include any acts done rendered or performed or any thing furnished or supplied or any facility used furnished or supplied by public utilities or contract carriers by motor vehicle in the transportation of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for the use in any primary general or special election [or in the transportation of wood used in the manufacture of charcoal and wood chemicals or in the transportation of logs or pulpwood used in the manufacture of paper] or in the transportation of pulpwood or chemical wood from woodlots

(23) "Transportation of Passengers or Property" means any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service in con-

nection with the transportation or carrying of passengers but shall not mean any service in connection with the receiving transportation handling or delivering of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [or the transportation of wood used in the manufacture of charcoal and wood chemicals or the transportation of logs or pulpwood used in the manufacture of paper] or the transportation of pulpwood or chemical wood from woodlots

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frank,	Limper,	Robertson,
Amarando,	Frost,	Loftus,	Rose,
Andrews,	Gaffney,	Lovett,	Rosen,
Bane,	Gallagher,	Madigan,	Rovansek,
Barkdoll,	George,	McCormack,	Royer,
Baumunk,	Gibson,	McCullough,	Sarra,
Beaver,	Glembocki,	McGee,	Sax,
Bednarek,	Good,	McKinney,	Scanlon,
Blair,	Goodling,	McMillen,	Schmidt,
Bloom,	Graybill,	McNally,	Schuster,
Boles,	Green,	Mihm,	Scott,
Bomberger,	Greenwood	Mikula,	Seyler,
Boorse,	Greer,	Miller,	Shoemaker,
Bower,	Guarnieri,	Milliken,	Smith, C. C.,
Brandon,	Guthrie,	Mills,	Smith, W. B.,
Breisch,	Hagerty,	Mintess,	Snider,
Breth,	Hall,	Monroe,	Sollenberger,
Brice,	Hamilton,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harney,	Moore, H. A.,	Stank,
Brown, W. E.,	Harris,	Moran,	Sternberg,
Brunner,	Haudenshield,	Munley,	Stimmel,
Bucchin,	Heatherington,	Murray,	Stuart,
Cadwalader,	Helm,	Musto,	Swope,
Clapper,	Herman,	Nagel,	Tahl,
Clendening,	Hersch,	Najaka,	Taylor,
Cochran,	Hewitt,	Needham,	Thompson,
Cole,	Hocker,	Neff,	Tompkins,
Coleman,	Hoffman,	Nixon,	Toomey,
Conway,	Hoggard,	O'Dare,	Varallo,
Cooper,	Hunter,	O'Donnell,	Varner,
Costa,	Jenkins,	Olsen,	Verona,
Dalrymple,	Jennings,	Orban,	Wachhaus,
DeLong,	Jim,	Penglase,	Wagner,
Dennison,	Johnson,	Pentrack,	Wargo,
Depuy,	Jones, G. E.,	Peta,	Waterhouse,
Dougherty,	Jones, J. M.,	Petrosky,	Watkins,
Driscoll,	Jump,	Pettigrew,	Weidner,
Duffy,	Kamyk,	Pfaff,	Weiss,
Dye,	Keller,	Polen,	Welsh,
Elder,	Kemp,	Posta,	Wescott,
Erb,	Kent,	Powers,	Westrick,
Evans,	Kirley,	Price, H. W., Jr.,	Wheeler,
Ewing,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Propert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
	Leonard,	Robbins,	Sorg,
			Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 729, as follows:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation by towing of wrecked or disabled motor vehicles and eliminating expired provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by pre-

scribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as temporarily amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1181) and by the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1206) are hereby further amended to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

\* \* \* \* \*

(6) "Common Carrier by Motor Vehicle" means any common carrier who or which holds out or undertakes the transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes any motor vehicle with or without driver for transportation or for use in transportation of persons or property as aforesaid and shall include common carriers by rail water or air and express or forwarding public utilities in so far as such common carriers or such public utilities are engaged in such motor vehicle operations but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (c) any owner or operator of a farm transporting agricultural products from or farm

supplies to such farm or any independent contractor or cooperative agricultural association hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated and road construction material (e) transportation of property by the owner to himself or to purchasers directly from him in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [(g) any person or corporation who or which uses or furnishes for use trucks for the transportation of wood used in the manufacture of charcoal and wood chemicals (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper] or (g) transportation by towing of wrecked or disabled motor vehicles

(7) "Contract Carrier by Motor Vehicle" means any person or corporation who or which provides or furnishes transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes with or without drivers any motor vehicle for such transportation or for use in such transportation other than as a common carrier by motor vehicle but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle or sold or (b) any bona fide agricultural cooperative association transporting property exclusively for the members of such association on a non-profit basis or any independent contractor hauling exclusively for such association or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (e) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated or road construction materials or (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [(g) any person or corporation who or which uses or furnishes for use trucks for the transportation of wood used in the manufacture of charcoal and wood chemicals (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper] or (g) transportation by towing of wrecked or disabled motor vehicles

(20) "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done rendered or performed and any and all things furnished or supplied and any and all facilities used furnished or supplied by public utilities or contract carriers by motor vehicle in the performance of their duties under this act to their patrons employees other public utilities and the public as well as the interchange of facilities between two or more of them but shall not include any acts done rendered or performed or any thing furnished or supplied or any facility used furnished or supplied by public utilities or contract carriers by motor vehicle in the transportation of voting machines to and from polling

places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [or in the transportation of wood used in the manufacture of charcoal and wood chemicals or in the transportation of logs or pulpwood used in the manufacture of paper] or in the transportation by towing of wrecked or disabled motor vehicles

(23) "Transportation of Passengers or Property" means any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service in connection with the transportation or carrying of passengers but shall not mean any service in connection with the receiving transportation handling or delivering of voting machines to and from polling places for or on behalf of any political subdivision of this commonwealth for use in any primary general or special election for the transportation of wood used in the manufacture of charcoal and wood chemicals or the transportation of logs or pulpwood used in the manufacture of paper] or the transportation by towing of wrecked or disabled motor vehicles

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembockl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Deputy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Fenster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,

Floyd,  
Fox,  
Frank,

Leisey,  
Leonard,  
Limper,

Riley, R. L.,  
Robbins,  
Robertson,

Ziegler,  
Sorg,  
**Speaker**

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order.

The House proceeded to the third reading and consideration of Senate Bill No. 732, as follows:

An Act to amend part of section two of the act approved the second day of July one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations" by further defining "public highways"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition "public highways" in section two of the act approved the second day of July one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations" is hereby amended to read as follows

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning.

"Public Highways" shall mean and include every way or place of whatever nature [generally] open to the use of the public as a matter of right [or to be opened to the public as a highway] including a toll highway for the purpose of vehicular travel [and notwithstanding that the same may be temporarily closed] excepting those that are closed or that portion of any stretch which is closed to such travel by order of the Highway Department for the purpose of construction or reconstruction [maintenance or repair]

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,  
Amarando,

Andrews,

Bane,

Barkdoll,

Baumunk,

Beaver,

Bednarek,

Blair,

Bloom,

Boles,

Bomberger,

Boorse,

Bower,

Brandon,

Breisch,

Breth,

Brice,

Brown, H. S.,

Brown, W. E.,

Brunner,

Bucchin,

Cadwalader,

Clapper,

Clendenen,

Cochran,

Cole,

Coleman,

Conway,

Cooper,

Costa,

Dalrymple,

DeLong,

Dennison,

Depuy,

Dougherty,

Driscoll,

Duffy,

Dye,

Elder,

Erb,

Evans,

Ewing,

Felton,

Ferster,

Filo,

Firmstone,

Flack,

Fleming,

Floyd,

Fox,

Frank,

Frost,

Gaffney,

Gallagher,

George,

Gibson,

Glembocki,

Good,

Goodling,

Graybill,

Green,

Greenwood

Greer,

Guarnieri,

Guthrie,

Hagerty,

Hall

Hamilton,

Harney,

Harris,

Haudenschild,

Heatherington,

Helm,

Herman,

Hersch,

Hewitt,

Hocker,

Hoffman,

Hoggard,

Hunter,

Jenkins,

Jennings,

Jim,

Johnson,

Jones, G. E.,

Jones, J. M.,

Jump,

Kamyk,

Keller,

Kemp,

Kent,

Kirley,

Kline,

Kohl,

Kolankiewicz,

Kondrath,

Kratz,

Kurtz,

Lederer,

Lee,

Leisey,

Leonard,

Limper,

Loftus,

Lovett,

Madigan,

McCormack,

McCullough,

McGee,

McKinney,

McMillen,

McNally,

Mihm,

Mikula,

Miller,

Milliken,

Mills,

Mintess,

Monroe,

Moore, C. E.,

Moore, H. A.,

Moran,

Munley,

Murray,

Musto,

Nagel,

Najaka,

Needham,

Neff,

Nixon,

O'Dare,

O'Donnell,

Olsen,

Orban,

Penglase,

Pentrack,

Peta,

Petrosky,

Pettigrew,

Pfaff,

Polen,

Posta,

Powers,

Price, H. W., Jr.,

Price, R. A.,

Probert,

Readinger,

Reagan,

Reese,

Reidenbach,

Relly, J. M.,

Reynolds,

Riley, R. L.,

Robbins,

Robertson,

Rose,

Rosen,

Rovanssek,

Royer,

Sarrafi,

Sax,

Scanlon,

Schmidt,

Schuster,

Scott,

Seyler,

Shoemaker,

Smith, C. C.,

Smith, W. B.,

Snider,

Sollenberger,

Spencer,

Stank,

Sternberg,

Stimmel,

Stuart,

Swope,

Tahl,

Taylor,

Thompson,

Tompkins,

Toomey,

Vallo,

Varner,

Verona,

Wachhaus,

Wagner,

Wargo,

Waterhouse,

Watkins,

Weldner,

Weiss,

Welsh,

Wescott,

Westrick,

Wheeler,

Williams,

Wood,

Worley,

Yaffe,

Yeakel,

Yester,

Yetzer,

Young,

Ziegler,

Sorg,

**Speaker**

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 735, Printer's No. 624.

Senate Bill No. 736, Printer's No. 738 and

Senate Bill No. 747, Printer's No. 514

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 756, as follows:

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating certain exceptions to the prohibition against possessing in or on vehicles and conveyances loaded firearms and loose ammunition

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 386) is hereby further amended to read as follows

Section 806 Possession of Loaded Firearms and Certain Ammunition Restricted (a) Except as otherwise provided by law it is unlawful for any person to have in his possession a loaded rifle or loaded shotgun or a rifle or shotgun from the magazine of which all shells and cartridges have not been removed in or on any vehicle or conveyance or its attachments while standing upon or along or being driven upon or along any public highway or a highway open to use or used by the public within this Commonwealth [Provided however that except as hereafter provided between five o'clock postmeridian of one day and seven o'clock antemeridian eastern standard time of the day following any unloaded rifle or shotgun being lawfully carried in accordance with the foregoing provisions shall be so carried only when in a case or taken apart and securely wrapped but this requirement relative to carrying rifles and shotguns in cases or securely wrapped shall not apply during the period extending from the day before the regular small game hunting season which normally opens on the first day of November to the thirty-first day of December next following both dates inclusive]

(b) [Except during the period enumerated in subsection (A) of this section it] It is unlawful for any person to have in possession in or on any vehicle conveyance or its attachments while standing upon or along or being driven upon or along any public highway or a highway open to use by the public within this Commonwealth except as hereinafter provided between five o'clock postmeridian of one day and seven o'clock antemeridian eastern standard time of the day following any rifle cartridge (larger than a .22 caliber long rifle) or any shotgun shell containing either a single bullet or pellets larger than a BB unless all such cartridges or shells are carried in [unbroken original] cartons or are securely [wrapped] contained except during the period extending from the day before the regular small game hunting season which normally opens on the first day of November to the thirty-first day of December next following both dates inclusive

(c) Provided however (a) that during the period from July first to September thirtieth inclusive of each year the foregoing requirements relative to carrying certain unloaded firearms and ammunition shall be applicable only from eight-thirty o'clock postmeridian to five o'clock antemeridian eastern standard time and (b) that the commission may by resolution change the daily hours stipulated in subsections (a) (b) and (c) of this section to make adjustment for time changes or time designations established by Federal law or by any regulations promulgated under Federal law]

(d) The provisions of this section shall not be construed to apply to a public police officer engaged in the performance of his official duty or to an officer whose duty is to enforce the game law and engaged in the performance of his official duty

(e) Any person violating any of the provisions of this section while the vehicle is in motion or is being used as

a blind from which to kill or attempt to kill game while the vehicle is not in motion shall upon conviction be sentenced to pay a fine of twenty-five dollars and costs of prosecution Any other violation of the provisions of this section shall upon conviction subject the person responsible therefor to a fine of ten dollars and costs of prosecution

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraff,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenen,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Pengilase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Westcott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Property,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Fleck,	Lederer,	Relly, J. M.,	Yetter,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Lamper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 767, as follows:

An Act to further amend rule twenty-five of article twenty-five of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting the use of certain instruments and devices for tamping purposes under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Rule twenty-five of article twenty-five of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2486) is hereby further amended to read as follows:

Rule twenty-five In all mines shot-firers or other persons charging holes for blasting shall use incombustible material for tamping All holes in any mine before being fired shall be solidly tamped the full length of the hole Provided however That with the consent of the mine inspector "cushion" or "air" blasting shall be permitted Provided further That for tamping purposes any instrument or device approved by the United States Bureau of Mines may be used with the approval of the Secretary of Mines even though such instrument or device does not completely fill the drill hole from the collar to the explosives lodged therein Any person who violates this rule shall be deemed guilty of a misdemeanor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Gleed,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudensfield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dakrmyple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,

Duffy,  
Dye,  
Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank,

Keller,  
Kemp,  
Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewics,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Leisey,  
Leonard,  
Limper,

Polen,  
Posta,  
Powers,  
Price, H. W., Jr.,  
Price, R. A.,  
Propert,  
Readinger,  
Reagan,  
Reese,  
Reldenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Welsh,  
Wescott,  
Westrick,  
Wheeler,  
Williams,  
Wood,  
Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 776, as follows:

An Act to further amend clause nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "Original member" to include certain additional employees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the acts approved the sixteenth day of June one thousand nine hundred forty-seven (P. L. 611) the sixteenth day of June one thousand nine hundred forty-seven (P. L. 620) the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1149) and the fifth day of July one thousand nine hundred forty-seven (P. L. 1342) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

9 "Original member" of the retirement association shall mean a State employee who was at any time a State employee prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of

the retirement association on or before December thirty-first one thousand nine hundred thirty-five or any State employe who is an employe of any of the respective institutions acquired by the Commonwealth from any county city ward borough township institution district or other political subdivision for actual use as a State mental hospital under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) or its amendments who was at any time an employe of such institution prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement associations or on before December thirty-first one thousand nine hundred forty-seven or in any case where subsequent to such date the definition of "State employe" has been changed so as to include additional persons not previously classed as State employes or persons not classed as State employes at the time of entering the service of the State but who later became State employes as defined in this act because of a change in employment or method of compensation if any such person shall have become a member of the retirement association on or before the thirty-first day of December next following the effective date of the act under the provisions of which he was enabled to become a member of the association and he elects to become an "Original member"

Any such State employe who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established

Where back payments are based on hourly or per diem wages and wage records are not available for the entire time of the person's employment the deductions for the period for which records are not available shall be computed by using the average of the earliest two-year period for which records are available

Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

Original member of the retirement association shall also mean any person who is a member of the General Assembly on the effective date of this amendment and who shall elect on or before December thirty-first one thousand nine hundred and forty-seven to become a member of the retirement association as a January first one thousand nine hundred and forty-seven

Original member of the retirement association shall also mean any person who was formerly a member of the General Assembly and who on the effective date of this amendment is a contributor

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	McCormack,	Rovansek,
Bane,	George,	McCullough,	Royer,
Barkdoll,	Gibson,	McGee,	Sarra,
Baumunk,	Glembocki,	McKinney,	Sax,
Beaver,	Good,	McMillen,	Scanlon,
Bednarek,	Goodling,	McNally,	Schmidt,
Blair,	Graybill,	Mihm,	Schuster,
Bloom,	Green,	Mikula,	Scott,
Botes,	Greenwood,	Miller,	Seyler,
Bomberger,	Greer,	Milliken,	Shoemaker,
Boorse,	Guarnieri,	Mills,	Smith, C. C.,
Bower,	Guthrie,	Mintess,	Smith, W. B.,
Brandon,	Hagerty,	Monroe,	Snider,
Breisch,	Hall,	Moore, C. E.,	Sollenberger,
Breth,	Hamilton,	Moore, H. A.,	Spencer,
Brice,	Harney,	Moran,	Stank,
Brown, H. S.,	Harris,	Munley,	Sternberg,
Brown, W. E.,	Haudenshield,	Murray,	Stimmel,
Brunner,	Heatherington,	Musto,	Stuart,
Bucchin,	Helm,	Nagel,	Swope,
Cadwalader,	Herman,	Najaka,	Tahl,
Clapper,	Hersch,	Needham,	Taylor,
Clendening,	Hewitt,	Neff,	Thompson,
Cochran,	Hocker,	Nixon,	Tompkins,
Coleman,	Hoffman,	O'Dare,	Toomey,
Cole,	Hoggard,	O'Donnell,	Varallo,
Conway,	Hunter,	Olsen,	Varnier,
Cooper,	Jenkins,	Orban,	Verona,
Costa,	Jennings,	Pengilase,	Wachhaus,
Dalrymple,	Jim,	Pentrack,	Wagner,
DeLong,	Johnson,	Peta,	Wargo,
Dennison,	Jones, G. E.,	Petrosky,	Waterhouse,
Depuy,	Jones, J. M.,	Pettigrew,	Watkins,
Dougherty,	Jump,	Pfaff,	Weidner,
Driscoll,	Kamyk,	Polen,	Weiss,
Duffy,	Keller,	Posta,	Welsh,
Dye,	Kemp,	Powers,	Wescott,
Elder,	Kent,	Price, H. W., Jr.,	Westrick,
Erb,	Kirley,	Price, R. A.,	Wheeler,
Evans,	Kline,	Probert,	Williams,
Ewing,	Kohl,	Readinger,	Wood,
Felton,	Kolankiewicz,	Reagan,	Worley,
Ferster,	Kondrath,	Reese,	Yaffe,
Filo,	Kratz,	Reidenbach,	Yeakel,
Firmstone,	Lederer,	Reilly, J. M.,	Yester,
Flack,	Lee,	Reynolds,	Yetzer,
Fleming,	Leisey,	Riley, R. L.,	Young,
Floyd,	Leonard,	Robbins,	Ziegler,
Fox,	Limper,	Robertson,	Sorg,
Frank,			Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 782, as follows:

An Act to amend section seven hundred fifteen and to add section seven hundred twenty-one point one to the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by further regulating liquidation of institutions as therein defined

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred fifteen of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 715 Surrender or Transfer of Burdensome Assets The secretary may with leave of court surrender to the institution of which he is received any [assets including choses in action whether the subject of pending proceedings or not] real estate which [appear] appears to be burdensome and of no advantage to the estate he may likewise with leave of court convey title to any other holder of a mortgage or a lien against property in his possession where it shall appear that to continue to hold such property is burdensome and of no advantage to the estate

The secretary shall give notice to the depositors or other creditors of the institution and in the case of building and loan associations to the shareholders of the filing of the petition for leave to transfer or convey such property pursuant to the provisions of this section Such notice shall be given at the addresses which appear for such depositors other creditors or shareholders upon the books or other records of the institution or if none appear there then at their last known addresses However the court may if it shall appear to the best interests of the estate order the secretary to substitute a single advertisement in a newspaper or newspapers for the individual notice to the depositors and other creditors

and in the case of a building and loan association the shareholders The court shall grant at least ten days for the filing of objections by the depositors or other creditors of the institution and in the case of a building and loan association the shareholders of such institution

Section 2 The said act is hereby amended by adding thereto after section seven hundred twenty-one a new section to read as follows

Section 721.1 After all assets and real estate of an estate in liquidation by the secretary have been either liquidated or where possible and practicable reduced to judgment or surrendered to the institution with the permission of the court and in the judgment of the secretary it becomes economically advisable finally to wind up the affairs of the institution in liquidation he shall file a final account with the court having jurisdiction of the estate and at the audit of that account he shall be permitted to impound the balance of the assets including real estate remaining in his hands and he shall not sell such remaining assets at public sale Upon confirmation of his final account the secretary shall be discharged from all liability on his bond or otherwise and shall thereafter be under no duty or obligation actively to collect on the impounded assets With regard to said assets including real estate and including after discovered assets he shall however retain all of his powers to receive payment for them or with leave of court to adjust or compromise them

After his final accounting and discharge the secretary shall have power to make further distribution to the creditors depositors and shareholders when in his opinion sufficient funds are realized to justify such distribution after deducting reasonable costs for collection preservation and distribution If the secretary is of the opinion that the funds collected or probably to be collected will be sufficient to make a distribution practicable he shall after deducting reasonable costs for collection and preservation pay the remainder to the State Treasurer through the Department of Revenue without escheat Refunds to claimants entitled thereto shall be made by the Board of Finance and Revenue as provided in similar cases where money is paid to the State Treasurer through the Department of Revenue without escheat

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Brandon,	Guthrie,	Mills,	Smith, W. B.,
Breisch,	Hagerty,	Mintess,	Snider,
Breth,	Hall,	Monroe,	Sollenberger,
Bower,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,

Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 795, as follows:

An Act authorizing the Department of Forests and Waters to acquire two tracts of land in Somerset and Bedford Counties to be used as a State Forest under the jurisdiction of the Department of Forests and Waters and devoted to hunting fishing and recreational purposes and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Forests and Waters is hereby authorized to purchase a tract of land consisting of thirteen thousand seven hundred three (13,703) acres more or less located in Paint Shade Allegheny and Ogle Townships Somerset County and West Saint Clair Township Bedford County Pennsylvania including the buildings and improvements erected thereon and a tract of land consisting of sixty-nine (69) acres more or less located in Ogle Township Somerset County Pennsylvania including the buildings and improvements erected thereon

Section 2 Said tracts of land when purchased shall be under the jurisdiction of the Department of Forests and Waters and shall become a part of the state's forests devoted to hunting fishing and recreational purposes The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of one hundred seventy thousand dollars (\$170,000) or as much thereof as may be necessary is hereby appropriated to the Department of Forests and Waters for the payment of the purchase price of said tracts of land and for the payment of engineering legal and incidental expenses connected with such purchase

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altschuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 796, as follows:

An Act fixing the compensation and mileage of county auditors in counties of the sixth and seventh class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The county auditors in counties of the sixth and seventh class shall receive ten dollars (\$10) for each day necessarily employed in the discharge of their

duties together with ten cents per mile circular from and to their homes once each and every day so employed

Section 2 The act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1634) entitled "An act fixing the compensation and mileage of auditors and jury commissioners in counties of the sixth class" is hereby repealed absolutely The act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of county auditors within this Commonwealth" is hereby repealed insofar as it is inconsistent with the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersche,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weldner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 810, as follows:

An Act to further amend section six hundred nineteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making municipalities jointly liable for negligence of their employes driving animal drawn vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred nineteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 619 Counties and Municipalities Liable for Negligence of Their Employes Every county city borough incorporated town or township within this Commonwealth employing any person shall be jointly and severally liable with such person for any damages caused by the negligence of such person while operating an animal drawn vehicle or a motor vehicle or fire department equipment upon a highway in the course of their employment and every city borough incorporated town and township shall also be jointly and severally liable with any member of a volunteer fire company of any such city borough

incorporated town or township for any damage caused by the negligence of such member while operating an animal drawn vehicle or a motor vehicle or fire department equipment used by or belonging to such volunteer fire company while going to attending or returning from a fire or while engaged in any other proper use of such animal drawn vehicle or motor vehicle or fire department equipment for such volunteer fire company

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altschuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarneri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Deputy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 830, as follows:

An Act to further amend clause two of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further providing for assessment of property for maintenance of lights on roads and highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause two of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the laws relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors In addition to the duties imposed upon them by section 516 hereof they shall have power

II Contracts and Assessments for Lighting On the petition of the owners of a majority of the lineal feet frontage along any road highway or portion thereof within the township to enter into contract with electric gas or other lighting companies to light and illuminate said roads and highways and other public places in villages with electric light gas light or other illuminant

The township supervisors shall annually assess or cause to be assessed the cost and expense of the maintenance of said lights by an equal assessment on all property [benefited by] within two hundred and fifty (250) feet of such lighting in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The supervisors may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five per centum of the assessment per foot front against property with improvements thereon All such assessments for street lighting shall be filed with the township tax collector who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The

tax collector and the treasurer shall make a report to the auditors of the township annually

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsach,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	
Fleming,	Lee,	Reynolds,	
Floyd,	Leisey,	Riley, R. L.,	
Fox,	Leonard,	Robbins,	
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 851, as follows:

An Act to add clause XLII to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An

act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the supervisors to appropriate money towards nonprofit ambulance services

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as re-enacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors In addition to the duties imposed upon them by section 516 hereof they shall have power

\* \* \* \* \*

XLII Ambulance Service To appropriate money annually towards a nonprofit community ambulance service

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Guarnieri,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsach,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Pettigrew,	Watkins,
Dougherty,	Jump,	Petrosky,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,

Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 860, as follows:

An Act to amend section three of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1199) entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas providing for the appointment by the board of personal property assessors real estate assessors and assistant real estate assessors clerks and other employees fixing the salaries of members of the board assessors and assistant assessors and providing for the payment of salaries and expenses from the county treasury prescribing the powers and duties of the board and of the assessors the time and manner of making assessments of the revision and notice of assessments and of appeals therefrom prescribing the records of assessments and repealing existing laws" by further prescribing the terms of the officers of the board of revision of taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1199) entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas providing for the appointment by the board of personal property assessors real estate assessors and assistant real estate assessors clerks and other employees fixing the salaries of members of the board assessors and assistant assessors and providing for the payment of salaries and expenses from the county treasury prescribing the powers and duties of the board and of the assessors the time and manner of making assessments of the revision and notice of assessments and of appeals therefrom prescribing the records of assessments and repealing existing laws" is hereby amended to read as follows

Section 3 The board shall organize [each year by selecting] within fifty days after this amending act becomes effective to select a chairman vice-chairman and secretary from among its members and thereafter whenever a vacancy shall exist or happen in any of such offices the board shall thereupon meet and select one of its members to fill such vacancy Each member of the board hereafter selected as chairman vice-chairman or secretary either upon the organization of the board or to fill any vacancy shall hold such office until the expiration of his term as a member of the board Each member of the board shall give bond in such amount and with surety or sureties as the tax-levying body of the county shall approve conditioned for the faithful performance of his duties as a member of the board

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraaf,
Baumunk,	Glembockl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Milliken,	Shoemaker,
Boorse,	Guarnieri,	Mills,	Smith, C. C.,
Bower,	Guthrie,	Mintess,	Snider,
Brandon,	Hagerty,	Monroe,	Sollenberger,
Brelsche,	Hall,	Moore, C. E.,	Spencer,
Breth,	Hamilton,	Moore, H. A.,	Stank,
Brice,	Harney,	Moran,	Sternberg,
Brown, H. S.,	Harris,	Munley,	Stimmel,
Brown, W. E.,	Haudenschild,	Murray,	Stuart,
Brunner,	Heatherington,	Musto,	Swope,
Bucchin,	Helm,	Nagel,	Tahl,
Cadwalader,	Hersch,	Najaka,	Taylor,
Clapper,	Hewitt,	Needham,	Thompson,
Clendenning,	Hocker,	Neff,	Tompkins,
Cochran,	Hoffman,	Nixon,	Toomey,
Cole,	Hoggard,	O'Dare,	Varallo,
Coleman,	Hunter,	O'Donnell,	Varnier,
Conway,	Jenkins,	Olsen,	Verona,
Cooper,	Jennings,	Orban,	Wachhaus,
Costa,	Jim,	Penglase,	Wagner,
Dalrymple,	Johnson,	Pentrack,	Wargo,
DeLong,	Jones, G. E.,	Peta,	Waterhouse,
Dennison,	Jones, J. M.,	Petrosky,	Watkins,
Depuy,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Dougherty,	Keller,	Polen,	Welsh,
Duffy,	Kemp,	Posta,	Wescott,
Dye,	Kent,	Powers,	Westrick,
Elder,	Kirley,	Price, H. W., Jr.,	Wheeler,
Erb,	Kline,	Price, R. A.,	Williams,
Evans,	Kohl,	Propert,	Wood,
Ewing,	Kolankiewicz,	Readinger,	Worley,
Felton,	Kondrath,	Reagan,	Yaffe,
Ferster,	Kratz,	Reese,	Yeakel,
Filo,	Kurtz,	Reidenbach,	Yester,
Firmstone,	Lederer,	Reilly, J. M.,	Yetzer,
Flack,	Lee,	Reynolds,	Young,
Fleming,	Leisey,	Riley, R. L.,	Ziegler,
Floyd,	Leonard,	Robbins,	Sorg,
Fox,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 866, as follows:

An Act to further amend section four hundred thirty-one of the act approved the second day of May one thousand

nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred thirty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 327) is hereby further amended to read as follows

Section 431 Appropriations to Veterans' Organizations for Expenses of Memorial Day The board of commissioners may appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American War Veterans of World War II AMVETS and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto in the county a sum not to exceed [two] three hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of graves of Union veterans of the Civil War Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Brandon,	Guthrie,	Mills,	Smith, W. B.,
Breisch,	Hagerty,	Mintess,	Snider,
Breth,	Hall,	Monroe,	Sollenberger,
Brice,	Hamilton,	Moore, C. E.,	Spencer,
Bower,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,

Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 867, as follows:

An Act to further amend clause thirty-four of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause thirty-four of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 328) is hereby further amended to read as follows

Section 2403 Specific Powers In addition to other powers granted by this act the council of each city shall have power by ordinance

\* \* \* \* \*

34 Appropriations to Posts of Veterans To appropriate annually to each camp of the United States War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS) and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each chapter of the Military Order of the Purple Heart and to each post of the Jewish War Veterans and to each organization of ex-service men in the city incorporated under the laws of the Commonwealth a sum not to exceed [two] three

hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of the graves of Union veterans of the Civil War Such payments shall be made to defray actual expenses only before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsche,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Oochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Orban,	Verona,
Costa,	Jennings,	Penglase,	Wachhaus,
Dalrymple,	Jim,	Pentrack,	Wagner,
DeLong,	Johnson,	Peta,	Wargo,
Dennison,	Jones, G. E.,	Petrosky,	Waterhouse,
Depuy,	Jones, J. M.,	Pettigrew,	Watkins,
Dougherty,	Jump,	Pfaff,	Weidner,
Driscoll,	Kamyk,	Polen,	Weiss,
Duffy,	Keller,	Posta,	Welsh,
Dye,	Kemp,	Powers,	Wescott,
Elder,	Kent,	Price, H. W., Jr.,	Westrick,
Erb,	Kirley,	Price, R. A.,	Wheeler,
Evans,	Kline,	Propert,	Williams,
Ewing,	Kohl,	Readinger,	Wood,
Felton,	Kolankiewicz,	Reagan,	Worley,
Ferster,	Kondrath,	Reese,	Yaffe,
Filo,	Kratz,	Reidenbach,	Yeakel,
Firmstone,	Kurtz,	Reilly, J. M.,	Yester,
Flack,	Lederer,	Reynolds,	Yezzer,
Fleming,	Lee,	Riley, R. L.,	Young,
Floyd,	Leisey,	Robbins,	Ziegler,
Fox,	Leonard,	Robertson,	Sorg,
Frank,	Limper,		Speaker

NAYS—0

NOT VOTING—1

Krise,  
The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 868, as follows:

An Act to further amend section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" as amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 326) is hereby further amended to read as follows

Section 1 Be it enacted &c That the respective authorities of the several cities of the first and second class and second class A and incorporated towns of this Commonwealth are hereby authorized to appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS) and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each chapter of the Military Order of the Purple Heart and to each post of the Jewish War Veterans and to each organization of ex-service men incorporated under the laws of this Commonwealth in the respective cities or towns a sum not to exceed [two] three hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of the graves of Union veterans of the Civil War Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,

Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Wells,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 875, as follows:

An Act to add section one thousand three hundred ten point one to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political

subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every state depository and every debtor or creditor of the Commonwealth" by providing for the conversion of certain personal property taken without escheat and conferring jurisdiction on the Court of Common Pleas of Dauphin County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article thirteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended by adding thereto after section one thousand three hundred ten a new section to read as follows

Section 1310.1 Conversion of Personal Property Taken Without Escheat Any personal property which has heretofore or shall hereafter come into the possession of the Secretary of Revenue without escheat shall from time to time be converted into cash in such manner and under such terms and conditions as may be fixed by the Court of Common Pleas of Dauphin County upon petition of the Secretary of Revenue The proceeds of such conversions shall be paid into the State Treasury and shall be subject to being refunded upon petition to the Board of Finance and Revenue in the same manner as other like refunds are made

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,

Bower,	Guarnieri,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Brelsich,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Verner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 877, as follows:

An Act establishing the Pennsylvania State Firemen's Training School in or adjacent to the borough of Lewistown providing for its operation and maintenance by the Department of Public Instruction authorizing the acquisition of a site either by gift or purchase by the Commonwealth or by The General State Authority or the use of land now owned by the Commonwealth providing for the erection or construction and the furnishing and equipping of the buildings and structures by The General State Authority and the leasing thereof by the Commonwealth and conferring powers and imposing duties upon the Department of Public Instruction and the Public Service Institute Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Establishment Purpose Name In order to enable the Department of Public Instruction more effectively to train firemen under the program of the Public Service Institute established by the department under its vocational education program there is hereby established a training school for firemen for practical training in the control and extinguishment of fires The training school hereby established shall be known as "The Pennsylvania State Firemen's Training School"

Section 2 Supervision and Control The management of

the school and the control and care of the buildings and grounds owned and used by the State for such school and the conduct of instruction thereat shall be under the direct supervision and control of the Department of Public Instruction

Section 3 Powers and Duties The Department of Public Instruction and the Public Service Institute Board shall have the power and their duty shall be

(1) To fix the salaries of the employees of the school in conformity with the standards established by the Executive Board

(2) To make rules and regulations for the government and management of the school and the admission of firemen from the various political subdivisions thereto

(3) To prescribe the courses of study and the practical training in connection therewith

(4) To accept on behalf of the Commonwealth donations of land or equipment for the use of said school

Section 4 Persons Admitted All firemen who are regularly employed by any local political subdivisions of the State and all regularly enrolled members of volunteer fire companies shall be eligible for admission to the school and shall be chosen by the governing authority of each of said political subdivisions The Public Service Institute Board shall apportion the number admitted to the school so that each county is represented therein in the ratio that the number of firemen in each county bears to the total number of firemen in the State

Section 5 Application for Admission Application for admission shall be made to the Public Service Institute Board by the political subdivisions in the manner prescribed by said board

Section 6 Acquisition of Site The Superintendent of Public Instruction with the approval of the Governor may accept a gift of land suitable as a site for the school or if no gift of a suitable site is offered he shall with like approval select for acquisition either by the Department of Property and Supplies in the name of the Commonwealth or by The General State Authority with funds of the Authority a tract of land located in or adjacent to the borough of Lewistown for the erection and construction and the furnishing and equipping thereon by The General State Authority of The Pennsylvania State Firemen's Training School The title to the lands so acquired whether by gift or otherwise shall be approved by the Attorney General If it shall be found that the Commonwealth owns State lands suitable in whole or in part for such use such lands may be designated by the Department of Public Instruction with the approval of the Governor and the department board or commission having possession and control of the same and used for such purpose Any additional lands necessary may be selected and acquired as hereinbefore provided

Section 7 Conveyance of Land Plans etc for Buildings and Structures Upon the acquisition of any land in the name of the Commonwealth or designation of any land of the Commonwealth the Department of Property and Supplies shall have authority to convey the same to The General State Authority for the purpose of having such Authority erect or construct and furnish and equip thereon the buildings and other structures necessary for The Pennsylvania State Firemen's Training School The plans and specifications of the school whether erected on land acquired directly by The General State Authority or by conveyance to it from the Commonwealth shall be subject to the approval of the Department of Public Instruction and shall provide for suitable buildings and other necessary equipment structures and improvements

Section 8 Leasing by Commonwealth The Department of Property and Supplies with the approval of the Governor is hereby authorized to enter into a lease for not more than ninety-nine (99) years with The General State Authority to acquire the use of the buildings and structures and any lands connected therewith and the furnishings and equipment thereof for the purpose of having the same managed and operated by the Department of Public Instruction and the Public Service Institute Board

Section 9 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglas,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 879, as follows:

An Act to amend the first paragraph and clauses (1) and (3) of subsection (b) of section two hundred one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for the erection of buildings for the administration of said act on land in or in the immediate vicinity of the City of Harrisburg presently owned by the Commonwealth and the conveyance or leasing of such land to persons firms or corporations for such purpose and for the leasing of such buildings to the Commonwealth the same to become the property of the Commonwealth upon termination of such lease

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph and clauses (1) and (3) of subsection (b) of section two hundred one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as added by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 721) are hereby amended to read as follows

Section 201 General Powers and Duties of Department (b) The department and the Department of Property and Supplies are hereby authorized to acquire land and buildings or to use land in or in the immediate vicinity of the City of Harrisburg now owned by the Commonwealth deemed necessary by the Secretary of Labor and Industry with the approval of the Governor and in the case of the use of land now owned by the Commonwealth the approval of the board or other agency of the Commonwealth having jurisdiction over the same for the administration of this act in accordance with the following provisions of this subsection

(1) The department through the Secretary of Property and Supplies with the approval of the Governor is hereby authorized to acquire by purchase or condemnation land with or without buildings to erect buildings thereon or on land in or in the immediate vicinity of the City of Harrisburg now owned by the Commonwealth to purchase fixtures equipment and facilities including such necessary appurtenances as cafeterias and parking accommodations and to make necessary alterations and improvements thereof

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(3) The Secretary of Property and Supplies with the approval of the Governor is authorized to enter into contracts with any person firm or corporation which provide (i) for the conveyance or lease by the Commonwealth to such person firm or corporation of land acquired under the provisions of this subsection or of land or in

the immediate vicinity of the City of Harrisburg now owned by the Commonwealth Provided That such property shall be reconveyed to the Commonwealth or such lease shall terminate upon payment in full of the total amount specified in the lease executed by said person firm or corporation as lessor as provided under clause (iii) of this paragraph (ii) for the erection on such land by such person firm or corporation of buildings the plan and specifications for which have been approved by the department and the Department of Property and Supplies and (iii) for the leasing by said person firm or corporation to the Commonwealth for a period of not more than fifteen years from the time of completion of said buildings the terms of such lease to provide that upon the termination of said lease or upon the sooner payment in full of the total amount specified therein the lessor shall convey to the Commonwealth all its right title and interest in and to the land and buildings covered under said lease

The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth to sell and convey or to lease any property covered by such agreement for such consideration to be paid by the department as may be agreed upon and to make and execute a deed or lease conveying or leasing the same to the person firm or corporation with which the agreement was made Such property shall be for the use of the Department of Labor and Industry All deeds and leases shall be approved by the Department of Justice

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

- |              |                |              |               |
|--------------|----------------|--------------|---------------|
| Altschuler.  | Frost.         | Limper.      | Rose.         |
| Amarando.    | Gaffney.       | Loftus.      | Rosen.        |
| Andrews.     | Gallagher.     | Madigan.     | Royansek.     |
| Bane.        | George.        | McCormack.   | Royer.        |
| Barkdoll.    | Gibson.        | McCullough.  | Sarra.        |
| Baumunk.     | Glembocki.     | McGee.       | Sax.          |
| Beaver.      | Good.          | McKinney.    | Scanlon.      |
| Bednarek.    | Goodling.      | McMillen.    | Schmidt.      |
| Blair.       | Graybill.      | McNally.     | Schuster.     |
| Bloom.       | Green.         | Mihm.        | Scott.        |
| Boles.       | Greenwood.     | Mikula.      | Seyler.       |
| Bomberger.   | Greer.         | Miller.      | Shoemaker.    |
| Boorse.      | Guarnieri.     | Milliken.    | Smith, C. O.  |
| Bower.       | Guthrie.       | Mills.       | Smith, W. B.  |
| Brandon.     | Hagerty.       | Mintess.     | Snider.       |
| Breisch.     | Hall.          | Monroe.      | Sollenberger. |
| Breth.       | Hamilton.      | Moore, C. E. | Spencer.      |
| Brice.       | Harney.        | Moore, H. A. | Stank.        |
| Brown, H. S. | Harris.        | Moran.       | Sternberg.    |
| Brown, W. E. | Haudensfield.  | Munley.      | Stimmel.      |
| Brunner.     | Heatherington. | Murray.      | Stuart.       |
| Bucchin.     | Helm.          | Musto.       | Swope.        |
| Cadwalader.  | Herman.        | Nagel.       | Tahl.         |
| Clapper.     | Hersch.        | Najaka.      | Taylor.       |
| Clendening.  | Hewitt.        | Needham.     | Thompson.     |
| Cochran.     | Hocker.        | Neff.        | Tompkins.     |
| Cole.        | Hoffman.       | Nixon.       | Toomey.       |
| Coleman.     | Hoggard.       | Olsen.       | Varallo.      |
| Conway.      | Hunter.        | O'Dare.      | Varner.       |
| Cooper.      | Jenkins.       | O'Donnell.   | Verona.       |
| Costa.       | Jennings.      | Orban.       | Wachhaus.     |
| Dalrymple.   | Jim.           | Penglase.    | Wagner.       |
| DeLong.      | Johnson.       | Pentrack.    | Wargo.        |
| Dennison.    | Jones, C. E.   | Peta.        | Waterhouse.   |
| Depuy.       | Jones, J. M.   | Petrosky.    | Watkins.      |
| Dougherty.   | Jump.          | Pettigrew.   | Weidner.      |
| Driscoll.    | Kamyk.         | Pfaff.       | Weiss.        |
| Duffy.       | Keller.        | Polen.       | Welsh.        |
| Dye.         | Kemp.          | Posta.       | Wescott.      |
| Elder.       | Kent.          | Powers.      | Westrick.     |

- |            |               |                   |           |
|------------|---------------|-------------------|-----------|
| Erb.       | Kirley.       | Price, H. W., Jr. | Wheeler.  |
| Evans.     | Kline.        | Price, R. A.      | Williams. |
| Ewing.     | Kohl.         | Probert.          | Wood.     |
| Felton.    | Kolankiewicz. | Readinger.        | Worley.   |
| Feister.   | Kondrath.     | Reagan.           | Yaffe.    |
| Filo.      | Kratz.        | Reese.            | Yeakel.   |
| Firmstone. | Kurtz.        | Reidenbach.       | Yester.   |
| Flack.     | Lederer.      | Reilly, J. M.     | Yetzer.   |
| Fleming.   | Lee.          | Reynolds.         | Young.    |
| Floyd.     | Leisey.       | Riley, R. L.      | Ziegler.  |
| Fox.       | Leonard.      | Robbins.          | Sorg.     |
| Frank.     | Lovett.       | Robertson.        | Speaker   |

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 883, as follows:

An Act to amend the title and act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 386) entitled "An act providing for the establishment construction operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains through bordering or accessible to the counties of Monroe Northampton Carbon Luzerne Lackawanna Wayne and Pike to be known as the 'Rim Parkway' providing for the creation of the Pennsylvania Parkway Commission and conferring powers and imposing duties on said commission authorizing the issuance of parkway revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such parkway providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the parkway making such bonds exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such parkway shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission conferring powers and imposing duties on the Department of Highways authorizing the issuance of parkway revenue refunding bonds and making an appropriation" by changing the name and extending the length of the parkway establishing the parkway as a memorial providing that the costs of making surveys estimates of costs and plans for construction shall be paid from the proceeds of bonds issued by the commission and repealing the appropriation previously made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title section one subsection (c) of section four and section ten of the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 386) entitled "An act providing for the establishment construction operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains through bordering or accessible to the counties of Monroe Northampton Carbon Luzerne Lackawanna Wayne and Pike to be known as the 'Rim Parkway' providing for the creation of the Pennsylvania Parkway Commission and conferring powers and imposing duties on said commission authorizing the issuance of parkway revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such parkway providing that no debt of the Common-

wealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the parkway making such bonds exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such parkway shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission conferring powers and imposing duties on the Department of Highways authorizing the issuance of parkway revenue refunding bonds and making an appropriation" are hereby amended to read as follows

An act providing for the establishment construction operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains through bordering or accessible to the counties of Monroe Northampton Carbon Luzerne Lackawanna Wayne and Pike to be known as the ["Rim Parkway"] "Pocono Mountain Memorial Parkway" providing for the creation of the Pennsylvania Parkway Commission and conferring powers and imposing duties on said commission authorizing the issuance of parkway revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such parkway providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the parkway making such bonds exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such parkway shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission conferring powers and imposing duties on the Department of Highways and authorizing the issuance of parkway revenue refunding bonds [and making an appropriation]

Section 1 The Department of Highways shall as soon as possible after the effective date of this act make surveys estimates of costs and plans for the construction of a mountain ridge road or parkway over the Pocono Mountains through or bordering or accessible to the counties of Monroe Northampton Carbon Luzerne Lackawanna Wayne and Pike from a point at or near Delaware Water Gap in Monroe County to a point at or near [Bushkill] Milford in Pike County a distance of about [sixty] seventy miles to be known as the ["Rim Parkway"] "Pocono Mountain Memorial Parkway" and shall be dedicated as a memorial to the sons and daughters of Pennsylvania who served in World Wars I and II.

Section 4 The following words and terms shall have the following meanings

\* \* \* \* \*

(c) The word "parkway" shall mean the [Rim Parkway] "Pocono Memorial Parkway" to be constructed as herein provided either bordering on or accessible to the Counties of Monroe [Northumberland] Northampton Carbon Luzerne Lackawanna Wayne and Pike and shall be deemed to include not only the road and all tunnels and bridges and connecting roads not exceeding one thousand feet in length connected therewith but also all property rights easements franchises relating thereto and deemed necessary or convenient for the construction or operation thereof

Section 10 All moneys received from any bonds issued pursuant to this act shall be applied solely to the payment of the cost of making surveys estimates of costs and plans for the construction of the parkway and the cost of the parkway or to the appurtenant fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds or the trustee hereinafter provided for in respect of such bonds

Section 2 Section eighteen of said act is hereby repealed

Section 3 The provisions of this shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarraff,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buechin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 885, as follows:

An Act for the government management and control of county jails and prisons in counties of sixth seventh and eighth classes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In every county of the sixth seventh and eighth classes the government management and control of the county jail or prison and the safekeeping care maintenance discipline and employment of the prisoners therein is vested in the sheriff of the county and the officers and employes appointed by him as hereinafter provided The sheriff and his family may be furnished a residence in the county jail or prison and the sheriff shall from time to time with approval of the county salary board appoint as many keepers and other employes of said jail or prison as the salary board shall approve The compensation of such keepers and other employes shall be fixed by the county salary board in the same manner as the compensation of other appointed county officers and employes

Section 2 Nothing in this act shall be construed to repeal section five of the act approved the twenty-eighth day of April one thousand eight hundred ninety-nine (P. L. 89) entitled "An act authorizing the employment of male prisoners of the jails and workhouses of this Commonwealth and regulating the same and providing a penalty for an escape of prisoners while employed outside of said jails or workhouses" nor shall anything in this act be construed to repeal the act approved the twenty-fifth day of one thousand nine hundred seven (P. L. 247) entitled "An act authorizing the employment of male prisoners of the jails and workhouses of this Commonwealth upon the public highways of the several counties and regulating the same and providing for the establishment of Prison Boards the purchase of materials and tools and employment of deputies at the expense of the proper county and a penalty for the escape of prisoners while employed outside of said jail workhouses

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time. considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glenbockl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	
Coleman,	Hoggard,	O'Dare,	
Conway,	Hunter,	O'Donnell,	
Cooper,	Jenkins,	Olsen,	
Costa,	Jennings,	Orban,	
Dalrymple,	Jim,	Penglass,	
DeLong,	Johnson,	Pentrack,	
Dennison,	Jones, G. E.,	Peta,	
			Waterhouse,

Depuy,  
Dougerty,  
Driscoll,  
Duffy,  
Dye,  
Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank

Jones, J. M.,  
Jump,  
Kamyk,  
Keller,  
Kemp,  
Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Lelsey,  
Leonard,  
Limper,

Petrosky,  
Pettigrew,  
Pfaff,  
Polen,  
Posta,  
Powers,  
Price, H. W., Jr.,  
Price, B. A.,  
Propert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Relly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,  
Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 890, as follows:

A Joint Resolution proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto Section twenty-two

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 22 In addition to the purposes stated in Article nine of the Constitution the Commonwealth may be authorized by law to create debt and to issue bonds in order to purchase and cancel all or any part of the obligation of The General State Authority not in excess of \$175,000,000 and the State Highway and Bridge Authority not in excess of \$40,000,000 or either of them

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glenbockl,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,

Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Proper,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 893, as follows:

An Act to amend subsection (a) of section one thousand five hundred eighteen of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing provisions for text books on fire dangers and prevention of fire waste

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section one thousand five hundred eighteen of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1518 Text Books and Instruction on Fire Dangers and Prevention Drills (a) It shall be the duty of the [Pennsylvania State Police to prepare in consultation with the] Superintendent of Public Instruction in consultation with the Pennsylvania State Police to prepare books of instruction for use of teachers in the public and private schools of students of all grades with regard to the dangers of fire and the prevention of fire waste Such books of instruction shall be published at the expense of the State under the direction of the Superintendent of Public Instruction and shall be distributed in sufficient quantities for the use of the teachers in schools as herein provided The curriculum of all schools shall include some regular and continuous study of such subjects during the entire school year

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guhrle,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. E.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudensfield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tabl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Proper,	Wood,
Felton,	Kolankiewics,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 894, as follows:

An Act to amend section seven hundred seventy-three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and

parochial schools amending revising consolidating and changing the laws relating thereto" by permitting tapping of water lines of school districts under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred seventy-three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 773 Contracts for Light Heat or Water Acquiring Water Supply Condemnation Tapping District Water Lines (a) The board of school directors in any school district may in the manner herein provided enter into any contract with any person firm association or corporation for the furnishing of light heat or water to such school district for any term not exceeding five years. The amount to become due and payable thereon under such contract may be distributed equally during the years over which the same extends and only so much thereof as becomes due and payable in any one year need be provided for in the annual estimate of school expenses for any school year and be certified to by any school controller

(b) In any case where any school building to be supplied with water is not sufficiently near to the pipe lines of any water company to enable the school district to avail itself of such supply and another source of supply is available nearer to such school building the board of school directors may acquire such supply or any part thereof deemed necessary and may lay and construct a pipe line to convey water from such source of supply to such school building and for such purpose may enter upon occupy and use any highway or public or private property which it deems necessary in the event that compensation therefor cannot be agreed upon with any owner of private property so acquired occupied and used the amount thereof shall be determined in the manner provided in sections seven hundred twenty-one to seven hundred twenty-eight both inclusive of this article

(c) In any case where a school district has constructed a water pipe line for the supply of water to any school building and such supply is more than adequate for such purpose the board of school directors may subject to such terms as may be agreed on permit the tapping of such pipe line by any adjacent community having no other available public water supply

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovasek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. D.,
Brandon,	Hagerty,	Mintess,	Snider,

Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Deputy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Westcott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Lelsey,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILL PASSED OVER

There being no objection,

Senate Bill No. 896, Printer's No. 635, was passed over at the request of Mr. HOMER S. BROWN.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 897, as follows:

An Act to further amend subsection A of section one thousand twelve of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State de-

partments commissions and officers imposing penalties and repealing certain acts and parts of acts" by authorizing banks and trust companies to make loans on security of bonds secured by mortgages upon real property situated within the Commonwealth when said mortgages are insured by the United States Department of Agriculture

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of section one thousand twelve of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1104) is hereby further amended to read as follows

Section 1012 Loans on and Investments in Bonds and Mortgages and Judgments of Record A A bank or a bank and trust company shall have the power to lend on the security of or invest in bonds secured by mortgages upon real property but it shall lend upon or invest in only such bonds and mortgages as (1) are first liens or unencumbered improved real property including improved farm land situated within the Commonwealth or within fifty miles of a boundary thereof and (2) do not exceed two-thirds of the actual value of such real property and (3) become due within ten years after the making of such loan or investment unless amortized over a period not exceeding twenty years after the making of such loan or investment in monthly quarterly semiannual or annual payments sufficient in amount to pay all interest and effect full repayment of principal within such twenty-year period Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of such bank or bank and trust company by the borrower or mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the bank or bank and trust company making the investment It shall be lawful for a bank or bank and trust company to renew such policies at the expense of the borrower or mortgagor from year to year or for a longer or a shorter period not however exceeding the term of the obligation in case he shall fail to do so All necessary charges and expenses paid by such bank or bank and trust company for such renewals shall be paid by such borrower or mortgagor In case such borrower or mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of the payment of such charges and expenses constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor or borrower The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised

selected from or approved by the board of directors They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the bank or bank and trust company The provisions of this subsection shall not apply to loans on the security of bonds secured by mortgages upon real property situated within the Commonwealth or within fifty miles of a boundary thereof made or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act provided that such loans are guaranteed in an amount equal to at least twenty per centum thereof nor shall the provisions of this section apply to bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions of the National Housing Administrator pursuant to the provisions of the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements nor shall the provisions of this subsection apply to loans on the security of bonds secured by mortgages upon real property situated within the Commonwealth for which a written commitment to insure the payment thereof has been made by the United States Department of Agriculture in accordance with the provisions of Title I of the Bankhead-Jones Farm Tenant Act of the twenty-second day of July one thousand nine hundred thirty-seven its amendments and supplements rules and regulations promulgated from time to time pursuant to the provisions of said act nor to public utility railroad or industrial bonds or other securities commonly known as investment securities although such bonds may be secured in whole or in part by a mortgage upon real property

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenen,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Verner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dairymple,	Jim,	Pengilase,	Wagner,

DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speake

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 899, as follows:

An Act to amend subsection (b) of section one thousand one hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing cities of the third class and boroughs to remove and impound vehicles. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section one thousand one hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors streets cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter

of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as added by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is hereby amended to read as follows

Section 1103

\* \* \* \* \*

(b) Local authorities in cities of the first class second class [and] second class A and third class and boroughs in their respective jurisdictions shall have the authority to provide by ordinance for the removal and impounding of any vehicle parked on the streets highways or public property of such city in violation of any local ordinance adopted pursuant to the authority of this act or of any of the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, W. B.,
Bower,	Guthrie,	Mills,	Snider,
Brandon,	Hagerty,	Mintess,	Sollenberger,
Breisach,	Hall,	Monroe,	Spencer,
Breth,	Hamilton,	Moore, C. E.,	Smith, O. O.,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buechin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnar,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,

Flack, Fleming, Floyd, Fox, Frank.	Lederer, Lee, Leisey, Leonard, Limper,	Reilly, J. M., Reynolds, Riley, R. L., Robbins, Robertson,	Yetzer, Young, Ziegler, Sorg, Speaker
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## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 902, as follows:

An Act to amend section two of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by further providing for the collection of delinquent taxes in certain cases.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" is hereby amended to read as follows

Section 2 Authority to Levy and Collect Tax Use of Tax (a) For the year one thousand nine hundred forty-eight and annually thereafter every school district of the first class shall issue mercantile licenses and levy and collect an annual mercantile license tax in the manner and at the rates hereinafter set forth Such tax shall be in addition to any other tax every such school district is empowered to levy and collect under any existing law The license fees taxes and penalties collected under the provisions of this act shall be used by every such school district for general public school purposes

(b) On and after the first day of January one thousand nine hundred fifty in any school district of the first class which after such date has no authority to levy or does not levy the tax imposed by this act the collector is authorized to and shall continue to collect delinquent taxes owing such school district under any levy for any prior year under the provisions of this act until such taxes are either collected or until the collector is exonerated with respect to such taxes The delinquent taxes so collected shall be used by every such school district for general public school purposes

And said bill having been read at length the third time. considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler, Amarando, Andrews, Bane, Barkdoll, Baumunk, Beaver, Bednarek, Blair, Bloom, Boles, Bomberger, Boorse, Bower, Brandon, Breisch, Breth, Brice, Brown, H. S., Brown, W. E., Brunner, Bucchin, Cadwalader, Clapper, Clendening, Cochran, Cole, Coleman, Conway, Cooper, Costa, Dalrymple, DeLong, Dennison, Depuy, Dougherty, Driscoll, Duffy, Dye, Elder, Erb, Evans, Ewing, Felton, Ferster, Filo, Firmstone, Flack, Fleming, Floyd, Fox, Frank,	Frost, Gaffney, Gallagher, George, Gibson, Glembocki, Good, Goodling, Graybill, Green, Greenwood, Greer, Guarnieri, Guthrie, Hagerty, Hall, Hamilton, Harney, Harris, Haudenschild, Heatherington, Helm, Herman, Herscher, Hewitt, Hocker, Hoffman, Hoggard, Hunter, Jenkins, Jennings, Jim, Johnson, Jones, G. E., Jones, J. M., Jump, Kamyk, Keller, Kemp, Kent, Kirley, Kline, Kohl, Kolankiewicz, Kondrath, Kratz, Kurtz, Lederer, Lee, Leisey, Leonard, Limper,	Loftus, Lovett, Madigan, McCormack, McCullough, McGee, McKinney, McMillen, McNally, Mihm, Mikula, Miller, Milliken, Mills, Mintess, Monroe, Moore, C. E., Moore, H. A., Moran, Munley, Murray, Musto, Nagel, Najaka, Needham, Neff, Nixon, O'Dare, O'Donnell, Olsen, Orban, Penglase, Pentrack, Peta, Petrosky, Pettigrew, Pfaff, Polen, Posta, Powers, Price, H. W., Jr., Price, R. A., Propert, Readinger, Reagan, Reese, Reldenbach, Reilly, J. M., Reynolds, Riley, R. L., Robbins, Robertson,	Rose, Rosen, Rovansek, Royer, Sarraf, Sax, Scanlon, Schmidt, Schuster, Scott, Seyler, Shoemaker, Smith, C. C., Smith, W. B., Snider, Sollenberger, Spencer, Stank, Sternberg, Stimmel, Stuart, Swope, Tahl, Taylor, Thompson, Tompkins, Toomey, Varallo, Varner, Verona, Wachhaus, Wagner, Wargo, Waterhouse, Watkins, Weidner, Weiss, Welsh, Wescott, Westrick, Wheeler, Williams, Wood, Worley, Yaffe, Yeakel, Yester, Yetzer, Young, Ziegler, Sorg, Speaker
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## NAYS—0

## NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 905, as follows:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for

the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by exempting from taxation the volume of business derived from certain sales of trade-ins

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" is hereby amended to read as follows

Section 1 The duly constituted authorities of the following political subdivisions namely cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class [shall have the authority] may in their discretion by ordinance or resolution for general revenue purposes [to] levy assess and collect or provide for the levying assessment and collection of such taxes on persons transactions occupations privileges subjects and personal property within the limits of such political [subdivision] subdivisions as [it] they shall determine except that such local authorities shall not have authority by virtue of this act (1) to levy assess and collect or provide for the levying assessment and collection of any tax on a privilege transaction subject occupation or personal property which is now or does hereafter become subject to a State tax or license fee [nor have authority] or (2) to levy assess or collect a tax on the gross receipts from utility service of any person or company whose rates and services are fixed and regulated by the Pennsylvania Public Utility Commission [nor have authority] or (3) except on sales of admission to places of amusement or on sales or other transfers of title or possession of property to levy assess or collect a tax on the privilege of employing such tangible property as is now or does hereafter become subject to a State tax or (4) in the case of taxes on dealers in goods wares and merchandise to levy assess and collect a tax on the dollar volume of business transacted by wholesale and retail dealers derived from the resale of goods wares and merchandise taken by any dealer as a trade-in or as part payment for other goods wares and merchandise except to the extent that the resale price exceeds the trade-in allowance If subsequent to the passage of any ordinance or resolution under the authority of this act the General Assembly shall impose a tax or license fee on any privilege transaction subject or occupation or on personal property or on sales of admission to places of amusement or on sales or other transfers of title or possession of property taxed by any such political subdivision hereunder the act of Assembly imposing the State tax thereon shall automatically vacate the ordinance or resolution passed under the authority of this act as to all taxes accruing subsequent to the end of the current fiscal year of such political subdivision It is the intention of

this section to confer upon such political subdivision the power to levy assess and collect taxes upon any and all subjects of taxation which the Commonwealth has power to tax but which it does not now tax or license subject only to the foregoing provision that any tax upon a subject which the Commonwealth does hereafter tax or license shall automatically terminate at the end of the current fiscal year of the political subdivision

The aggregate amount of taxes annually imposed by enactment of an ordinance or resolution by any political subdivision under this section shall not exceed an amount equal to the product obtained by multiplying the total assessed valuation of real estate in such political subdivision at the time of the said enactment by the maximum millage of tax thereon allowed by law

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Toompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Verner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Pengilase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weldner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,  
The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 909, as follows:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any sum or sums of money representing surplus funds during the 1949-1951 biennium arising from revenues above the estimate curtailment of other appropriations increases of lapses or arising in any other manner not exceeding twenty-five million dollars (\$25,000,000) are hereby appropriated to the Department of Public Assistance

Provided however That this act shall not become effective until the Department of Public Assistance has exhausted the appropriation made to it by the General Assembly

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Sternberg,
Brown, H. S.,	Harris,	Moran,	Stank,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Verner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Pfinglase,	Wagner,
DeLong, "	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Prisaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,

Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank,

Kurtz,  
Lederer,  
Lee,  
Lelsey,  
Leonard,  
Limper,

Reidenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Yester,  
Yetzer,  
Young,  
Ziegler,  
Sory,  
Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 913, as follows:

An Act giving to cities boroughs and townships certain temporary powers regarding rent control

Whereas the Congress of the United States enacted the Housing and Rent Act of 1949 which contains the following provision

"(3) The Housing Expediter shall terminate the provisions of this title in any incorporated city town or village upon receipt of a resolution of its governing body adopted for that purpose in accordance with applicable local law and based upon a finding by such governing body reached as the result of a public hearing held after 10 days' notice that there no longer exists such a shortage in rental housing accommodations as to require rent control in such city town or village Provided however That such resolution is first approved by the Governor of the State before being transmitted to the Housing Expediter And provided further That where the major portion of a defense-rental area has been decontrolled pursuant to this paragraph (3) the Housing Expediter shall decontrol any unincorporated locality in the remainder of such area"

Whereas it is the desire of the General Assembly of the Commonwealth of Pennsylvania to give to municipalities the necessary authority and power so that they may cooperate with the Federal governmental authority in the manner provided in said Federal act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following terms whenever used or referred to in this act shall have the following meaning except in those instances where the context clearly indicates otherwise

"Housing Accommodations" Any building structure or part thereof or land appurtenant thereto or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses apartments rooming or boarding-house accommodations and other properties used for living or dwelling purposes) together with all privileges services furnishings furniture and facilities connected with the use or occupancy of such property

"Landlord" Any owner lessor sublessor receiver trustee executor assignee or other person receiving or entitled to receive rent for the use or occupancy of the whole or a part of any housing space or an agent of any of the foregoing

"Person" An individual corporation partnership association or any other organized group of individuals or the legal successor or representative of any of the foregoing

"Rent" Consideration including any bonus benefit or gratuity demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such housing accommodations

"Services" Repairs decorating and maintenance and

urnishing of light steam heat hot and cold water telephone elevator service cleaning service linen service anitor service the removal of refuse and any other facility or privilege connected with and furnished by the andlord for the use or occupancy of the housing space

“Tenant” A lease sublessee licensee or other person entitled to the possession or to the use or occupancy of he whole or a part of any housing space

“Municipality” Any city borough or township within he Commonwealth of Pennsylvania

Section 2 During the effective period of this act the governing body of any municipality within this Commonwealth may hold public hearings after ten (10) days notice thereof on the question as to whether a shortage n rental housing accommodations exists in such municipality If the governing body of such municipality makes a finding after said hearing that there on longer exists such a shortage in rental housing accommodations as to require rent control in such municipality it shall forward such finding to the Governor of the Commonwealth

Section 3 Upon the receipt by the Governor of the Commonwealth of finding by a municipality that there no longer exists such a shortage in rental housing accommodations as to require rent control in any municipality he Governor shall approve or disapprove the finding and f he approves the finding he shall forward it to the Housing Expediter of the Federal government

Section 4 This act shall become effective immediately upon final enactment and shall remain in effect until he first day of May one thousand nine hundred fifty-one or upon the date of a proclamation by the President of he United States or upon the date specified in a concurrent resolution by the Houses of Congress declaring hat the further continuance of the authority granted the Housing Expediter under the Housing and Rent Act of 1949 is not necessary whichever date is the earlier

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

- |               |                |               |               |
|---------------|----------------|---------------|---------------|
| Altbuler,     | Frost,         | Loftus,       | Rose,         |
| Amarando,     | Gaffney,       | Lovett,       | Rosen,        |
| Andrews,      | Gallagher,     | Madigan,      | Rovansek,     |
| Bane,         | George,        | McCormack,    | Royer,        |
| Barkdoll,     | Gibson,        | McCullough,   | Sarra,        |
| Baumunk,      | Glembocki,     | McGee,        | Sax,          |
| Beaver,       | Good,          | McKinney,     | Scanlon,      |
| Bednarek,     | Goodling,      | McMillen,     | Schmidt,      |
| Blair,        | Graybill,      | McNally,      | Schuster,     |
| Bloom,        | Green,         | Mihm,         | Scott,        |
| Boles,        | Greenwood,     | Mikula,       | Seyler,       |
| Bomberger,    | Greer,         | Miller,       | Shoemaker,    |
| Boorse,       | Guarnieri,     | Milliken,     | Smith, C. C., |
| Bower,        | Guthrie,       | Mills,        | Smith, W. B., |
| Brandon,      | Hagerty,       | Mintess,      | Snider,       |
| Breisich,     | Hall,          | Monroe,       | Sollenberger, |
| Breth,        | Hamilton,      | Moore, C. E., | Spencer,      |
| Brice,        | Harney,        | Moore, H. A., | Stank,        |
| Brown, H. S., | Harris,        | Moran,        | Sternberg,    |
| Brown, W. E., | Haudenshield,  | Munley,       | Stimmel,      |
| Brunner,      | Heatherington, | Murray,       | Stuart,       |
| Bucchin,      | Helm,          | Musto,        | Swope,        |
| Cadwalader,   | Herman,        | Nagel,        | Tahl,         |
| Clapper,      | Hersch,        | Najaka,       | Taylor,       |
| Clendening,   | Hewitt,        | Needham,      | Thompson,     |
| Cochran,      | Hocker,        | Neff,         | Tompkins,     |
| Cole,         | Hoffman,       | Nixon,        | Toomey,       |
| Coleman,      | Hoggard,       | O'Dare,       | Varallo,      |
| Conway,       | Hunter,        | O'Donnell,    | Varner,       |
| Cooper,       | Jenkins,       | Olsen,        | Verona,       |
| Costa,        | Jennings,      | Orban,        | Wachhaus,     |
| Dalrymple,    | Jim,           | Penglase,     | Wagner,       |
| DeLong,       | Johnson,       | Pentrack,     | Wargo,        |
| Dennison,     | Jones, G. E.,  | Peta,         | Waterhouse,   |
| Depuy,        | Jones, J. M.,  | Petrosky,     | Watkins,      |

- |            |               |                    |           |
|------------|---------------|--------------------|-----------|
| Dougherty, | Jump,         | Pettigrew,         | Weidner,  |
| Driscoll,  | Kamyk,        | Pfaff,             | Weiss,    |
| Duffy,     | Keller,       | Polen,             | Welsh,    |
| Dye,       | Kemp,         | Posta,             | Wescott,  |
| Elder,     | Kent,         | Powers,            | Westrick, |
| Erb,       | Kirley,       | Price, H. W., Jr., | Wheeler,  |
| Evans,     | Kline,        | Price, R. A.,      | Williams, |
| Ewing,     | Kohl,         | Proper,            | Wood,     |
| Felton,    | Kolankiewicz, | Readinger,         | Worley,   |
| Ferster,   | Kondrath,     | Reagan,            | Yaffe,    |
| Filo,      | Kratz,        | Reese,             | Yeakel,   |
| Firmstone, | Kurtz,        | Reidenbach,        | Yester,   |
| Flack,     | Lederer,      | Reilly, J. M.,     | Yetzer,   |
| Fleming,   | Lee,          | Reynolds,          | Young,    |
| Floyd,     | Leisey,       | Riley, R. L.,      | Ziegler,  |
| Fox,       | Leonard,      | Robbins,           | Sorg,     |
| Frank,     | Limper,       | Robertson,         | Speaker   |

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 917, Printer's No. 581, and

Senate Bill No. 926, Printer's No. 582,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 929, as follows:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled “An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds” by changing requirements for accident reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of subsection (a) of section one thousand two hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled “An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and

legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring power and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

#### Section 1214 Duty to Report Accidents

(a) The operator of any motor vehicle involved in an accident resulting in [injuries] bodily injury or death to any person or [total property damage to an apparent extent of fifty (\$50) dollars or more] damage to the property of any one person in excess of one hundred dollars (\$100) shall within twenty-four (24) hours forward a report of such accident to the department upon forms furnished by the department If the operator is physically incapable as a result of the accident of making a report it shall be the duty of any other participant in the accident who is not incapacitated because of the result of the accident to forward such report

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Scott,
Bloom,	Green,	Mihm,	Schuster,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Proper,	Wood,

Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank,

Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Lelsey,  
Leonard,  
Limper,

Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### BILLS PASSED OVER

There being no objection,

Senate Bill No. 930, Printer's No. 614, was passed over at the request of Mr. WEISS.

There being no objection,

Senate Bill No. 933, Printer's No. 585, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 936, as follows:

An Act to amend sections two three four five six seven and eight of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring power on the Anthracite Committee and its agents and providing penalties" by defining substandard anthracite requiring producers dealers and persons engaged in the sale of anthracite to issue certain statements and keep certain records and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the thirty first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" is hereby amended by adding at the end thereof after clause (j) a new clause (k) to read as follows

Section 2 Definitions The following words and phrases as used in this act shall be construed to mean

\* \* \* \* \*

(k) "Substandard Anthracite" anthracite other than that defined in clause (g) hereof as standard anthracite

Section 2 Sections three four five six seven and eight of said act are hereby amended to read as follows

Section 3 Statements by Producers as to Quality Anthracite Every producer [may] shall issue with each sale and delivery at or railroad car of motor vehicle shipment of anthracite from his preparation plant to the

operator of the vehicle or to the dealer or person to whom delivery is made or to be made a written or printed statement attesting that the anthracite so sold delivered or shipped is "Standard Anthracite" [if such anthracite conforms to the standard provided for in this act] or "Substandard Anthracite" as the case may be. Such statement may be shown on the weighmaster's certificate [if the certificate issues at the preparation plant otherwise a separate statement may issue].

In the case of anthracite hauled from a preparation plant directly to the consumer [if a statement is issued by the producer that the anthracite sold and delivered is standard anthracite] it shall be the duty of the operator of the motor vehicle to deliver such producer's statement to the consumer at the time the anthracite is delivered to him. In all other cases it shall be delivered to the dealer or person to whom delivery or shipment of the anthracite is made.

It shall be unlawful for an operator of a motor vehicle to fail to deliver any such producer's statement to the consumer or to deliver any substituted or forged statement to the consumer.

**Section 4 Statements by Dealers and Others As to Quality of Anthracite Unlawful Acts.** Any dealer operating a place of storage or person hauling anthracite direct from a railroad car to a consumer who has had issued to him by a producer a statement [attesting that anthracite purchased by him is standard anthracite may] as required by section three of this act shall in the resale of such anthracite so purchased issue on the weighmaster's certificate a written or printed statement and deliver the same to the consumer attesting that the anthracite so sold is standard anthracite [in so far as concerns the ash or slate and bone content thereof] or substandard anthracite as the case may be.

It is unlawful for any dealer or his or its agent or employee to mix together standard anthracite and substandard anthracite designated as such on the producer's statement for sale or resale purposes in or at his place of storage or elsewhere [anthracite attested by the producer by written or printed statement to be standard anthracite with another anthracite] of the same or different size [as to which no such producer's statement has been issued] or to issue any statement attesting that anthracite [as to which no such producer's statement was issued] known by him to be wholly or partly substandard anthracite is standard anthracite.

A dealer or a person engaged in hauling anthracite from a railroad car direct to the consumer who has preserved his records as required by this act and who has not been guilty of making mixtures prohibited by this act shall be entitled to rely upon the statement issued to him by a producer and shall not be subject to prosecution under this act for issuing a statement in accordance with the statement issued to him by the producer for the particular anthracite purchased by him under such statement.

**Section 5 Contents of Statements.** Statements issued under the provisions of sections three and four of this act by producers, dealers and persons hauling anthracite from a railroad car direct to the consumer [attesting that anthracite being sold resold delivered shipped or marketed is standard anthracite] shall set forth in ink or indelible pencil the date of the sale, resale or shipment of the anthracite to whom sold delivered or shipped and the size of the anthracite. Each statement shall have thereon the signature of the producer, dealer or other person which may be a facsimile signature.

**Section 6 Preservation of Records.** It shall be the duty of every producer to keep a record of all sales, deliveries and shipments of anthracite [as to which statements were issued attesting such anthracite to be standard anthracite] showing the name of the person to whom sold or delivered the date thereof, the weight and the point of delivery and whether the anthracite sold delivered or shipped was standard anthracite or substandard anthracite.

It shall be the duty of every dealer and of every person

engaged in hauling anthracite from a railroad car direct to a consumer to keep a record of all statements issued to him by producers of anthracite [attesting that the anthracite sold shipped or marketed was standard anthracite] in accordance with the provisions of section three of this act and also a duplicate record of the weighmaster's certificate issued by the dealer or other person [for anthracite sold or resold and delivered to consumers attesting the same to be standard anthracite] in accordance with the provisions of section four of this act.

All such records shall be preserved for a period of two years and shall be open to inspection by the agents of the Commonwealth and of the Anthracite Committee during business hours.

**Section 7 Powers of Agents of Anthracite Committee.** Any agent of the Anthracite Committee shall have full access to every preparation plant and premises of a producer and the storage yard and premises of every dealer and to any railroad car or motor vehicle transporting anthracite wherever the same may be and shall have the legal right to take samples of anthracite thereat or therefrom for the purpose of testing the same upon paying or tendering where demanded the value of the sample so taken. They shall have the right to inspect the books and records of every producer and dealer relating to the sale, resale, shipment and delivery of anthracite [as standard anthracite]. Such agents shall make report of all inspections to the Anthracite Committee which shall be open to public inspection.

**Section 8 Penalty.** Any producer, dealer or other person who shall fail or refuse to issue a statement when required by section three or section four of this act or who shall issue any written or printed statement attesting that anthracite sold, resold, shipped, delivered or marketed by him is standard anthracite when [the same does not conform to the standard fixed by this act] in fact such anthracite is wholly or partly substandard anthracite or who shall sell, resell, ship, deliver or market anthracite as grade A or premium anthracite or use any other similar designation leading or tending to lead the public to believe that the anthracite being sold, resold, shipped, delivered or marketed is standard anthracite when in fact such anthracite is wholly or partly substandard anthracite or who shall otherwise violate any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced for a first offense to pay a fine of not more than \$300 and in default of the payment of such fine and costs of prosecution shall be imprisoned for not less than 10 days or more than 20 days.

Any producer, dealer or other person guilty of a second or subsequent violation of this act shall be guilty of a misdemeanor and upon conviction thereof the producer, dealer, person or the member or officer of any association, partnership or corporation responsible for such violation shall upon conviction thereof be sentenced to pay a fine of not more than \$1000 or suffer imprisonment for not more than 6 months or both in the discretion of the court.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,

Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 939, as follows:

An Act making bonds of school districts valid and binding obligations of such districts despite failure to advertise election in a newspaper of general circulation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any school district shall heretofore have passed a resolution signifying its desire to increase its bonded indebtedness and whenever the assent of a majority of the electorate of such district shall have been obtained at an election held within such district assenting to such increase in indebtedness and whenever notice of such election shall have been given in the legal journal, designated by rules of court for publication of legal notices and advertisements and whenever the lawful number of notices shall have been posted within the district giving notice of such election all bonds heretofore or hereafter issued pursuant to such election are hereby made valid and binding obligations of such school district notwithstanding the fact that notice of said election was not advertised in any newspaper published in or circulated generally throughout the district as required by law Provided That all other requirements of law concerning the issuance of such bonds and the proceedings relative thereto shall have been complied with

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarra,
Baumunk,	Glenbocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Elair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. E.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, O. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 944, as follows:

An Act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The salary of mine inspectors under the jurisdiction of the Department of Mines of this Commonwealth shall be Six Thousand Six Hundred Dollars (\$6600) per annum together with the necessary expenses incidental to the performance of their duties under the law which money shall be paid in the manner now provided by law.

Section 2 The Act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 527) entitled "An act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines in this Commonwealth and the expenses incident to this office" is hereby repealed.

All acts and parts of acts inconsistent herewith are hereby repealed.

Section 3 This act shall become effective on the first day of June one thousand nine hundred forty-nine.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Buchanan,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Bretz,	Hamilton,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harney,	Moore, H. A.,	Stank,
Brown, W. E.,	Harris,	Moran,	Sternberg,
Brunner,	Haudenschild,	Munley,	Stimmel,
Bucchin,	Heatherington,	Murray,	Stuart,
Cadwalader,	Helm,	Musto,	Swope,
Clapper,	Herman,	Nagel,	Tahl,
Clendenning,	Hersch,	Najaka,	Taylor,
Cochran,	Hewitt,	Needham,	Thompson,
Cole,	Hocker,	Neff,	Tompkins,
	Hoffman,	Nixon,	Toomey,
	Hoggard,	O'Dare,	Varallo,
	Hunter,	O'Donnell,	Varnier,
	Jenkins,	Olsen,	Verona,
	Jennings,	Orban,	Wachhaus,
	Jim,	Penglase,	Wagner,
	Johnson,	Fentrack,	Wargo,
	Jones, G. E.,	Peta,	Waterhouse,
	Jones, J. M.,	Petrosky,	Watkins,
	Jump,	Pettigrew,	Weldner,
	Kamyk,	Pfaff,	Weiss,
	Keller,	Polen,	Welsh,
	Kemp,	Posta,	Wescott,
	Kent,	Powers,	Westrick,
	Kirley,	Price, H. W., Jr.	Wheeler,
	Kilne,	Price, R. A.,	Williams,
	Kohl,	Propert,	Wood,
	Kolankiewicz,	Readinger,	Worley,
	Kondrath,	Reagan,	Yaffe,
	Kratz,	Reese,	Yeakel,
	Kurtz,	Reidenbach,	Yester,
	Lederer,	Reilly, J. M.,	Yetzer,
	Lee,	Reynolds,	Young,
	Leisey,	Riley, R. L.,	Ziegler,
	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

rise,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 945, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the examination and clinical treatment of pupils by psychologists and psychiatrists.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four hundred twenty-four of the act approved the tenth day of March one thousand nine hundred forty-one (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1424 Special Examinations If at any time during the school year the district superintendent or supervising principal discovers the need for special examination of any school employe or pupil he shall refer such case to the responsible medical examiner for special consultation and recommendation

Upon the recommendation of the responsible medical examiner any pupil may be referred to a properly qualified psychologist or psychiatrist for further examination and if in the opinion of the psychologist or psychiatrist treatment of such pupil by an approved child behavior clinic or psychiatric clinic is deemed advisable said pupil may be referred to any such clinic for treatment Payment for any such examination or treatment may be made out of the funds of the school district

And said bill having been read at length the third time, considered and agreed.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Bretz,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,

Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 951, as follows:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ninety-five thousand dollars (\$95,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the purpose of making permanent improvements to and the development of the Delaware Division of the Pennsylvania Canal including the reconstruction and repair of aqueducts bridges and locks forming a part of said canal and for the maintenance of the same

And said bill having been read at length the third time, considered and agreed.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,

Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
For,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 956, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. I. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the uniformity control and erection of traffic signs signals and markings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section one thousand one hundred five and subsection (e) of section one thousand one hundred ten of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1718) are hereby further amended to read as follows

Section 1105 Uniformity and Control of Traffic Signs Signals and Markings (a) The Secretary of Highways of this Commonwealth shall forthwith make and publish regulations for the design location and operation of all official traffic signs signals and markings in this Commonwealth and such traffic signs signals and markings shall correlate with and so far as practicable conform with the system adopted by the Fourth National Conference on Street and Highway Safety published November one thousand nine hundred and thirty-five and amendments thereto manual on uniform traffic control devices adopted by the Joint Committee of the American Association of State Highway Officials the Institute of Traffic Engineers and the National Conference on Street and Highway Safety published August one thousand nine hundred forty-eight and amendments thereto Local authorities are directed to follow the uniform regulations for traffic signs signals and markings as so provided and no other system shall be regarded as official

Section 1110 Erection of Traffic Signs Signals and Markings

(e) All traffic signals shall be so located as to be plainly visible to all traffic to be regulated [Whenever] for the purposes of achieving desirable standards of uniformity wherever physical conditions will permit they shall be on or near the right curb line at the far side of the intersection facing in the direction of approaching traffic The bottom of the signal shall be at a height of approximately eight (8) feet above the surface of the highway Signal faces shall be located so as to give drivers and pedestrians a clear and unmistakable indication of the right-of-way assignment from their normal positions on the approaches and as they enter or pass through the intersection area Whenever the Secretary of Highways shall determine that such location is not effective for the purposes of safety or visibility he may within his discretion authorize any other type of installation as provided in the manual of uniform traffic control devices herein referred to

And said bill having been read at length the third time, considered and agreed.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Sorg,
Brice,	Harney,	Moore, H. A.,	Spencer,
Brown, H. S.,	Harris,	Moran,	Stank,
Brown, W. E.,	Haudenschild,	Munley,	Sternberg,
Brunner,	Heatherington,	Murray,	Stimmel,
Buechin,	Helm,	Musto,	Stuart,
Cadwalader,	Herman,	Nagel,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendenning,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varnier,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Lelsey,	Riley, R. L.,	Young,
Fox,	Leonard,	Robbins,	Ziegler,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILL PASSED OVER

There being no objection,

Senate Bill No. 957, Printer's No. 649, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 959, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system

including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by prohibiting soliciting or accepting gifts or donations from teachers or supervisors by school directors authorizing withholding of State appropriations clarifying the term "professional employe" changing provisions for minimum salaries of part-time teachers supervisors and principals and State reimbursement therefor and providing for part-time and evening vocational classes schools departments and programs attendance thereat in other districts and reimbursement therefor between school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act (No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding at the end thereof a new section to read as follows

Section 327 Demanding etc Gratuities from Teachers or Supervisors Withholding State Appropriation It shall be unlawful for any board of school directors to demand request or accept directly or indirectly any gift or donation from any teacher or supervisor within its employ When the Superintendent of Public Instruction shall be of the opinion that any board of school directors has violated the provisions of this section he shall have the power to refuse to authorize the payment of any amount payable to the school district by the Commonwealth on account of instruction for the school year in which such violation occurred

Section 2 Sections one thousand one hundred one and one thousand one hundred forty-six subsection (a) of section one thousand eight hundred nine and sections one thousand nine hundred twenty-two and two thousand five hundred seven of said act are hereby amended to read as follows

Section 1101 Definitions As used in this article

(1) The term "professional employe" shall include those who are certified as teachers supervisors supervising principals principals directors of vocational education dental hygienists visiting teachers home and school visitors school counselors school secretaries the selection of whom is on the basis of merit as determined by eligibility lists and school nurses [who are certified as teachers and any regular full-time employe of a school district who is duly certified as a teacher]

Section 1146 Part-Time Teachers etc The minimum salary of all part-time teachers [of children of exceptional physical or mental condition unable to attend regular public school or of part-time teachers supervisors and principals employed in the extension schools and evening vocational classes and classes of the Commonwealth established for the education of adults and legally employed minors and not designated as continuation of other vocational schools or classes shall be two dollars and fifty cents (\$2.50) per hour] supervisors and principals shall be as follows

(1) Teachers of children of exceptional physical or mental condition who are unable to attend regular public school two dollars and fifty cents (\$2.50) per hour

(2) Teachers and supervisors holding a standard or college certificate employed in extension schools classes and activities two dollars and fifty cents (\$2.50) per hour

(3) Such employes holding an emergency certificate one dollar and fifty cents (\$1.50) per hour

(4) Teachers and supervisors in approved programs of vocational adult extension education two dollars and fifty cents (\$2.50) per hour

(5) All part-time teachers and supervisors in approved vocational extension education shall be limited to a maximum of ten (10) hours per week at the rate of two dol-

lars and fifty (\$2.50) per hour When hours in excess of ten (10) hours per week are assigned the hourly rate shall be adjusted by the district to conform with the established schedule but shall be not less than one dollar and seventy-five cents (\$1.75) per hour

Section 1809 Attendance in Other Districts and Other States Pupils from Other States (a) Any resident of a school district which does not maintain an approved vocational industrial vocational agricultural vocational [home economics] homemaking or vocational distributive occupational education day part-time or evening class school or department offering the type of training which he desires may make application to the board of school directors of any other district for admission to such school or department maintained by said board If the board refuses him admission he may apply to the State Board of Vocational Education for admission to such school or department The State Board for Vocational Education may approve or disapprove such application In making such decisions the State Board for Vocational Education shall take into consideration the opportunities for free vocational training in the community in which the applicant resides the financial status of the community the age sex preparation aptitude and previous record of the applicant and all other relevant circumstance The decision of the State Board for Vocational Education shall be final

Section 1922 [Evening Manual Training Schools in Districts Second and Third Class The boards of school directors of any school district of the second or third class when requested by seventy-five or more taxpayers of the district shall establish and equip an evening manual training school for pupils above the age of fourteen years and shall keep the same open as many months in the year as day schools are kept open No such evening manual training school shall be opened unless at least twenty-five pupils of the district apply for admission thereto and the same shall be closed by the board of school directors when the average attendance falls below fifteen Vocational Education for Out-of-School Youth and Adults The board of school directors of any school district when requested in writing by twenty (20) or more out-of-school youth or adults having an administratively feasible educational objective which has been provided for in the State Plan for Vocational Education for which facilities are available shall inaugurate and maintain such programs so long as enrollment conditions warrant

Section 2507 Payments on Account of Approval Vocational Extension Classes Every school district and every vocational school district regardless of classification shall be paid by the Commonwealth for every school term year on account of approved vocational extension classes [at the rate of two dollars (\$2) per hour of instruction approved by the Superintendent of Public Instruction eighty per cent (80%) of the sum which was expended by the district for the compensation of vocational extension teachers and supervisors for the purpose of computing reimbursement the maximum compensation shall be two dollars and fifty cents (\$2.50) per hour and the amount expended for supervisory salaries shall not exceed twenty per cent (20%) of the sum expended for teachers salaries] Provided That in special cases when travel time or unusual preparation of instructional materials or other factors result in an inadequate compensation the Department of Public Instruction may approve additional reimbursable employment time for such additional service upon the submission of adequate substantiative evidence from the responsible superintendent of schools

Section 3 The first paragraph of section two thousand five hundred sixty-one of said act is hereby amended and a new clause is hereby added at the end thereof to read as follows

Section 2561 Tuition Charges for Pupils of Other Districts A school district or vocational school district receiving elementary or high school pupils or vocational or other extension education pupils who are residents of

another school district or another vocational school district shall compute the tuition charges as follows

(4) Vocational or Other Extension Tuition Charge Add the salaries of administrators supervisors instructors clerks and custodians specifically employed in the school district's or vocational school district's annual program of Vocational or other Extension Education the cost of text books and supplies of the second class issued for the program A charge of five cents (.05c) per pupil hour of instruction for the district overhead and plant usage Subtract from the sum so obtained the amount of State appropriation applicable The remainder shall be designated as the "district cost for vocational or other extension education" Determine the total pupil hours of instruction divide the "district cost for vocational or other extension education" by the total pupil hours of instruction The cost so determined shall be the "vocational or other extension tuition charge per pupil hour of instruction"

Section 4 Sections two thousand five hundred sixty-two two thousand five hundred sixty-three and two thousand five hundred sixty-four of said act are hereby amended to read as follows

Section 2562 Payments by District for Pupils Attending in Other Districts For each elementary or high school pupil attending a public school of another district the receiving district shall bill the sending district and the sending district shall pay the amount of the tuition charge per elementary pupil or the tuition charge per high school pupil as the case may be In the case of pupils attending the receiving district's public school for less than a full school term the tuition charge per elementary or high school pupil shall be prorated by reference to the period of time over which such pupils actually attended the receiving district's schools

For each vocational or other extension education pupil attending an extension class of another district the receiving district shall bill the sending district and the sending district shall pay the vocational or other extension tuition charge per pupil hour of instruction for each hour of attendance of each such pupil

Nothing herein shall prohibit the payment of a tuition for vocational or other extension pupils by a sponsoring agency or employer

Section 2563 Certification of Pupils Admitted from Other Districts Monthly Payments The board of school directors in any school district or the board of directors of vocational schools in any vocational school district maintaining an elementary school or a high school or an extension class which is attended by any pupils residing in another district shall upon admission of such pupils properly certify to the board of school directors of the school district in which such pupils reside the names of all such pupils and whether they are attending an elementary school or a high school or an extension class together with a statement of the tuition charge per elementary pupil and the tuition charge per high school pupil and the vocational or other extension tuition charge per pupil hour of instruction All such tuition charges shall be paid monthly to the school district or the vocational school district maintaining such elementary school or high school by the school district to which the same was certified

Section 2564 Deductions from State Appropriations If any school district wherein a pupil resides who is entitled by law to attend an elementary school or a high school or an extension class in another district neglects or refuses to pay any such tuition charge the Superintendent of Public Instruction is authorized to deduct from any moneys due any such district out of any State appropriation the amount due from such district to the district where the pupil attends and pay over said sum to the district entitled thereto

Section 5 The provisions of this act as well as the provisions of the sections amended shall become effective

on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraff,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dairymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Duguay,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kilne,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 960, as follows:

An Act authorizing the Department of Forests and Waters to accept on behalf of the Commonwealth certain real estate situate in Elk County subject to the reservations in the chain of title

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Forests and Waters is hereby authorized and empowered to accept on behalf of the Commonwealth approximately one hundred (100) acres of land situate in Elk County more particularly bounded and described as follows

All that certain lot piece or parcel of land situate lying and being partly in Warrant No 4112 in the Township of Jones Elk County Pennsylvania and partly in Warrant No 4111 in the Township of Benzinger Elk County Pennsylvania bounded and described as follows to wit Beginning at a post on the westerly side of the travelled roadway of the public road leading from Johnsonburg to the Village of Glen Hazel said post being situate in the southern line of Warrant No 4112 at a point forty-four and four-tenths (44.4) feet north 89° 45' west along said line from a one and one-half (1½) inch iron pipe and stones near the western boundary of said public road for a witness and being also situate approximately four thousand and fifty-six (4056) feet be the same more or less north 89° 45' west along said warrant line from the southeastern corner of said Warrant No 4112 thence along said public road following in general along or near the western edge of the travelled roadway thereof the following fifteen courses and distances viz (1) North ten degrees fifteen minutes east (N 10° 15' E) seventy and seven-tenths (70.7) feet (2) North twenty-eight degrees seven minutes west (N 28° 07' W) sixty-five and six-tenths (65.6) feet (3) North forty degrees twenty-one minutes west (N 40° 21' W) two hundred ninety-four and one-tenth (294.1) feet (4) North thirty-seven degrees thirty-five minutes west (N 37° 35' W) four hundred eleven and one tenth (411.1) feet (5) North thirty degrees thirty-seven minutes west (N 30° 37' W) one hundred forty-four and two-tenths (144.2) feet (6) North ten degrees forty-four minutes west (N 10° 44' W) ninety-one and two-tenths (91.2) feet (7) North twelve degrees forty-eight minutes east (N 12° 48' E) two hundred seventy-two and four-tenths (272.4) feet (8) North fifteen degrees fifty-two minutes east (N 15° 52' E) five hundred sixty-seven and three-tenths (567.3) feet (9) North fifteen degrees nine minutes east (N 15° 09' E) four hundred thirty-two and five-tenths (432.5) feet (10) North seventeen degrees twenty-two minutes east (N 17° 22' E) three hundred seventeen and two-tenths (317.2) feet (11) North twelve degrees twenty minutes east (N 12° 20' E) three hundred fifty-seven and eight-tenths (357.8) feet (12) North fifty-three minutes east (N 0° 53' E) two hundred seventy-seven and nine-tenths (277.9) feet (13) North seven degrees twenty-three minutes west (N 7° 23' W) four hundred fifty-two and two-tenths (452.2) feet (14) North four degrees thirty-six minutes west (N 4° 36' W) five hundred fifty-nine and one-tenth (559.1) feet (15) North five degrees nineteen minutes east (N 5° 19' E) eighty-four (84) feet thence leaving the roadway of said public road north thirty minutes east (N 0° 30' E) forty-seven and four-tenths (47.4) feet to a one and one-quarter (1¼) inch iron pipe marker on or near the westerly boundary of said public road situate approximately twenty-five (25) feet perpendicularly distant westwardly from the center line of said road thence north seven degrees nine minutes east (N 7° 09' E) approximately four hundred and twenty-seven (427) feet be the same more or less to the east branch of the Clarion River at a distance of three hundred forty-three and five-tenths (343.5) feet on said course passing a one and one-half (1½) inch iron pipe marker near the top of the east bank of said river thence down along the east branch of said Clarion River by its various courses and distances a distance of approximately five thousand five hundred and fifty (5550) feet be the same more or less to a point in a line parallel to the southern line of Warrant No 4112

and situate four hundred and eighteen (418) feet perpendicularly distant southward therefrom thence by said last mentioned line parallel to the southern line of Warrant No. 4112 south eighty-nine degrees forty-five minutes east (S 89° 45' E) approximately four hundred thirty-seven and seven-tenths (437.7) feet be the same more or less to a one and one-half (1½) inch iron pipe in the afore said public road near the western edge of the travelled roadway thereof at a distance of eighty (80) feet on said course passing a one and one-half (1½) inch iron pipe marker standing near the top of the east bank of said branch of said river thence along the said public road following in general along or near the western edge of the travelled roadway thereof the eight courses and distances following viz (1) North thirty-six degrees one minute east (N 36° 01' E) one hundred and thirty (130) feet (2) North forty-six degrees fifty-four minutes east (N 46° 54' E) one hundred twenty-four and two-tenths (124.2) feet (3) North seventy degrees ten minutes east (N 70° 10' E) eighty-eight and three-tenths (88.3) feet (4) South eighty-eight degrees forty-two minutes east (S 88° 42' E) two hundred one and three-tenths (201.3) feet (5) North eighty-seven degrees twenty minutes east (N 87° 20' E) one hundred seventy-three and seven-tenths (173.7) feet (6) North seventy-one degrees twenty-one minutes east (N 71° 21' E) two hundred twenty-six and one-tenth (226.1) feet (7) North fifty-seven degrees forty-three minutes east (N 57° 43' E) seventy-five and two-tenths (72.2) feet (8) North forty-three degrees six minutes east (N 32° 06' E) one hundred five and two-tenths feet to the place of beginning

Together with all the rights and privileges conferred upon the owners of said land in and to certain water rights upon adjoining lands and subject to all reservations and exceptions contained in former deeds in the chain of title to said lands

Section 2 The title to said real estate shall be taken in the name of the Commonwealth and shall before its acquisition be approved by the Department of Justice

Section 3 Upon acquiring the property the Department of Forests and Waters shall have full control management and supervision thereof and shall maintain the same as a public park

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rosen,
Amarando,	Gaffney,	Lovett,	Rovansek,
Andrews,	Gallagher,	Madigan,	Royer,
Bane,	George,	McCormack,	Sarra,
Barkdoll,	Gibson,	McCullough,	Sax,
Baumunk,	Glembocki,	McGee,	Scanlon,
Beaver,	Good,	McKinney,	Schmidt,
Bednarek,	Goodling,	McMillen,	Rose,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,

Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 963, as follows:

An Act to amend subsection (b) of section one thousand three hundred seventy-six and subsection (b) of section one thousand three hundred seventy-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing payments by the Commonwealth for instruction of parents of certain blind children in caring for such children

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section one thousand three hundred seventy-six and subsection (b) of section one thousand three hundred seventy-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1376 Cost of Tuition and Maintenance of Certain Handicapped Children in Approved Institutions

(b) When any person less than six (6) or more than twenty-one (21) years of age resident in this Commonwealth who is blind or deaf or afflicted with cerebral palsy is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf or cerebral palsied under the supervision of or approved by the Department of Public Instruction the Commonwealth shall pay to such school or institution out of moneys appropriated to the department for special education the cost of tuition and maintenance of such person as determined by the Department of Public Instruction and in addition in the case of any child less than six (6) years of age who is

blind the cost as determined by the Department of Public Instruction of instructing the parent of such blind child in caring for such child

Section 1377 Payment of Cost of Tuition and Maintenance of Certain Handicapped Children \* \* \* \* \*

(b) Payments of the Commonwealth's proportion of the cost of tuition and maintenance of blind or deaf or cerebral palsied pupils enrolled in schools or institutions for the blind or for the deaf or for the cerebral palsied and of the cost of instruction of parents of blind pupils less than six (6) years of age as hereinbefore provided shall be made quarterly out of moneys appropriated to the Department of Public Instruction for special education by warrant of the Auditor General upon the State Treasurer after requisition by the Superintendent of Public Instruction

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdall,	Gibson,	McCullough,	Sarrafa,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenen,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 967, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Mansfield State Teachers College to acquire a tract of land for the use of Mansfield State Teachers College and making an appropriation therefor. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Mansfield State Teachers College is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a tract of land in Tioga County Pennsylvania described as follows

Beginning at an iron pin on the south side of Wilson Avenue at the northeast corner of lands of the Mansfield State Normal School now the Mansfield State Teachers College thence south 72 degrees east along the south side of Wilson Avenue 451 feet to a corner of the second lot hereinbefore described thence south 7 degrees west along the said lot 120 feet to a corner thence south 72 degrees east along said lot 50 feet to a corner thence south 5½ degrees west along the first above described lot 793 feet to a corner in the north line of lands formerly of Charles S Ross now owned by the Mansfield State Normal School now the Mansfield State Teachers College thence north 84 degrees west along the north line of same 495 feet to a corner it being the southeast corner of said school lot and thence north 6 degrees east 1020 feet along lands of said school to the place of beginning containing 10 and 8/10 acres be the same more or less being fourth lot described in Recorder Deed Book 240 Page 340 Tioga County Pennsylvania and now owned by Candido and Anna DeLosa

Section 2 Said tract of land when purchased shall be added to the lands of Mansfield State Teachers College to be used for the purpose of developing an athletic field. The deed of conveyance shall be deposited with the Secretary of Internal Affairs. Said land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 3 The sum of ten thousand dollars (\$10,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,  
Amarando,  
Andrews,  
Bane,  
Barkdoll,  
Baumunk,  
Beaver,

Frost,  
Gaffney,  
Gallagher,  
George,  
Gibson,  
Glembocki,  
Good,

Loftus,  
Lovett,  
Madigan,  
McCormack,  
McCullough,  
McGee,  
McKinney,

Rose,  
Rosen,  
Rovanssek,  
Royer,  
Sarraf,  
Sax,  
Scanlon,

Bednarek,  
Blair,  
Bloom,  
Boies,  
Bomberger,  
Boorse,  
Bower,  
Brandon,  
Brelschi,  
Breth,  
Brice,  
Brown, H. S.,  
Brown, W. E.,  
Brunner,  
Bucchin,  
Cadwalader,  
Clapper,  
Clendening,  
Cochran,  
Cole,  
Coleman,  
Conway,  
Cooper,  
Costa,  
Dalrymple,  
DeLong,  
Dennison,  
Depuy,  
Dougherty,  
Driscoll,  
Duffy,  
Dye,  
Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank,

Goodling,  
Graybill,  
Green,  
Greenwood,  
Greer,  
Guarnieri,  
Guthrie,  
Hagerty,  
Hall,  
Hamilton,  
Harney,  
Harris,  
Haudenschild,  
Heatherington,  
Helm,  
Herman,  
Hersch,  
Hewitt,  
Hocker,  
Hoffman,  
Hoggard,  
Hunter,  
Jenkins,  
Jennings,  
Jim,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jump,  
Kamyk,  
Keller,  
Kemp,  
Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Leisey,  
Leonard,  
Limper,

McMillen,  
McNally,  
Mihm,  
Mikula,  
Miller,  
Milliken,  
Mills,  
Mintess,  
Monroe,  
Moore, C. E.,  
Moore, H. A.,  
Moran,  
Munley,  
Murray,  
Musto,  
Nagel,  
Najaka,  
Needham,  
Neff,  
Nixon,  
O'Dare,  
O'Donnell,  
Olsen,  
Orban,  
Penglase,  
Pentrack,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Polen,  
Posta,  
Powers,  
Price, H. W., Jr.,  
Price, E. A.,  
Probert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Schmidt,  
Schuster,  
Scott,  
Seyler,  
Shoemaker,  
Smith, C. C.,  
Smith, W. B.,  
Snider,  
Sollenberger,  
Spencer,  
Stank,  
Sternberg,  
Stimmel,  
Stuart,  
Swope,  
Tabl,  
Taylor,  
Thompson,  
Tompkins,  
Toomey,  
Varallo,  
Varner,  
Verona,  
Wachhaus,  
Wagner,  
Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Weiss,  
Welsh,  
Wescott,  
Westrick,  
Wheeler,  
Williams,  
Wood,  
Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,

Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 970, Printer's No. 621, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 975, as follows:

An Act to facilitate vehicular traffic in the eastern section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near the City of Scranton in Lackawanna County to connect with the Pennsylvania Turnpike at such point near Harrisburg as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of an

of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes and relocations and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Pennsylvania Turnpike Scranton Extension Act"

Section 2 In order to facilitate vehicular traffic in the eastern section of the Commonwealth the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 774) is hereby authorized and empowered to construct operate and maintain a turnpike at such location as shall be approved by the Governor and the Department of Highways from a point at or near the City of Scranton in Lackawanna County thence in a general southerly direction to connect with the Pennsylvania Turnpike at such point near Harrisburg as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system together with connecting roads tunnels and bridges and to issue turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the costs of such construction

Section 3 The turnpike revenue bonds issued under the provisions of this act shall not be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth but such bonds shall be payable exclusively from the fund herein provided therefor from tolls All such bonds shall contain a statement on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from tolls and that the faith and credit of the Commonwealth is not pledge to the payment of the principal or interest of such bonds The issuance of turnpike revenue bonds under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefore or to make any appropriation for their payment

Section 4 The following words and terms shall have the following meanings

(a) The word "commission" shall mean the Pennsylvania Turnpike Commission heretofore created by the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 774) or if said commission shall be abolished any board commission or officer succeeding to the principal functions thereof or upon whom the powers and functions given by this act to said commission shall be given by law

(b) The word "owner" shall include all individuals partnerships associations or corporations having any title or interest in any property rights easements or franchises authorized to be acquired by this act

(c) The words "the turnpike" shall mean the turnpike to be constructed as hereinafter provided from a point at or near the City of Scranton in Lackawanna County thence in a general southerly direction to connect with the Pennsylvania Turnpike at such point near Harrisburg as the commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and shall be deemed to include not only the turnpike and all connecting roads tunnels and bridges connected therewith but also all property rights

easements and franchises relating thereto and deemed necessary or convenient for the construction or the operation thereof

(d) The term "cost of the turnpike" shall embrace the cost of constructing the turnpike and all connecting roads tunnels and bridges the cost of all lands property rights rights of way easements and franchises acquired which are deemed necessary or convenient for such construction the cost of all machinery and equipment financing charges interest prior to and during construction and for one year after completion of construction cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative and legal expense and such other expenses as may be necessary or incident to the financing herein authorized the construction of the turnpike and connecting roads tunnels and bridges the placing of the same in operation and the condemnation of property necessary for such construction and operation Any obligation or expense contracted for by the commission with the Department of Highways of the Commonwealth of Pennsylvania or with the United States or any agency thereof for traffic surveys preparation of plans and specifications supervision of construction and other engineering administrative and legal services and expenses in connection with the construction of the turnpike or any of the connecting roads tunnels and bridges shall be regarded as a part of the cost of the turnpike and shall be reimbursed or paid out of the proceeds of the turnpike revenue bonds hereinafter authorized

Section 5 The exercise by the commission of the powers conferred by this act in the construction operation and maintenance of the turnpike shall be deemed and held to be essential governmental function of the Commonwealth

Section 6 The commission shall have the following powers and duties

(a) It shall maintain a principal office at such place as shall be designated by the commission

(b) The commission may contract and be contracted with in its own name

(c) The commission may sue and be sued in its own name plead and be impleaded Provided however That any and all actions at law or inequity against the commission shall be brought only in the proper courts at the County of Dauphin

(d) The commission shall have an official seal

(e) The commission shall make necessary rules and regulations for its own government and shall have power and authority to acquire own use hire lease operate and dispose of personal property real property and interests in real property and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ engineering traffic architectural and construction experts and inspectors and attorneys and such other employees as may in its judgment be necessary and fix their compensation Provided however That all contracts and agreements relating to the construction of the turnpike and connecting roads tunnels and bridges shall be approved by the Department of Highways and the turnpike and connecting roads tunnels and bridges shall be constructed under the supervision of the Department of Highways

(f) The turnpike when completed and opened to traffic shall be maintained and repaired by and under the control of the commission through the Department of Highways of the Commonwealth and all charges and costs for such maintenance and repairs actually expended by said Department of Highways shall be paid to it by the commission upon certification thereof out of tolls Such turnpike shall also be policed and operated by such force of police tolltakers and other operating employees as the commission may in its discretion employ

(g) The commission shall have authority at its own

cost to provide grade separations with respect to all public roads and State highways intersected by the turnpike and to change and adjust the lines and grades thereof so as to accommodate the same to the design of such grade separation. Provided however That the damages incurred in changing and adjusting the lines and grades of such public roads and State highways shall be ascertained and paid by the commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike. The plan of such changes of the lines and grades of public roads shall be subject to the approval of the supervisors of the proper township and in the case of State highways subject to the approval of the Department of Highways.

(h) If the commission shall find it necessary to change the site of any portion of any State highway or public road it shall cause the same to be reconstructed and stored forthwith at the commission's own proper expense on the most favorable location and in as satisfactory a manner as the original road. Provided That the damages incurred in changing the location of any such road or State highway shall be ascertained and paid by the commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike. The plan of such reconstruction and restoration shall be subject to the approval of the supervisors of the proper township and in the case of a State highway subject to the approval of the Department of Highways.

(i) The commission shall have authority to petition the court of quarter sessions of the county wherein is situate any public road or part thereof affected by the location therein of the turnpike for the vacation relocation or supply of the same or any part thereof with the same force and effect as is now given by existing laws to the inhabitants of any township of such county and the proceedings upon such petition whether it be for the appointment of viewers or otherwise shall be the same as provided by existing law for similar proceedings upon such petitions.

(j) The commission shall otherwise have all of the powers and perform all of the duties prescribed by the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 774).

(k) All public or private property damaged or destroyed in carrying out the powers granted by this act shall be restored or repaired and placed in their original condition as nearly as practicable or adequate compensation made therefor out of the funds provided under the authority of this act.

Section 7 (a) Each member of the commission shall be reimbursed for the necessary expenses incurred in the performance of the duties performed under the provisions of this act.

(b) All expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and no liability or obligations shall be incurred hereunder beyond the extent to which money shall have been provided under the authority of this act.

(c) Before the issuance of any turnpike revenue bonds under the provisions of this act each appointed member of the commission shall execute a bond in the penalty of twenty-five thousand dollars (\$25,000) and the secretary and treasurer shall execute a bond in the penalty of fifty thousand dollars (\$50,000) each such bond to be approved by the Governor and to be conditioned upon the faithful performance of the duties of his office under the provisions of this act which bonds shall be filed in the office of the Secretary of the Commonwealth.

Section 8 The commission with the approval of the Department of Highways is hereby authorized and empowered to acquire by purchase whenever it shall deem such purchase expedient any lands property rights rights of way franchises easements and other interests in lands as it may deem necessary or convenient for the construction and operation of the turnpike upon such terms and

at such price as may be considered by it to be reasonable and can be agreed upon between the commission and the owner thereof and to take title thereto in the name of the commission.

Section 9 Whenever a reasonable price cannot be agreed upon or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown the commission is hereby authorized and empowered to acquire by condemnation in the manner hereinafter provided any lands property rights of way franchises easements and other property deemed necessary or convenient for the construction or the efficient operation of the turnpike or necessary in the restoration of public or private property damaged or destroyed. In such event the application shall be made by the commission acting through the Department of Justice or by any owner or owners to the court of common pleas of the county in which the property is located or in the case of property on the boundary lines between two or more counties then in any such counties for the appointment of viewers. Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof. None of the freeholders shall be a resident of the county wherein such application shall be made. The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same. The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General to the commission and to the owner or owners if resident within said county. If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county. If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct. The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such land property rights rights of way easements or franchises and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary. If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary. Whenever the viewers shall have ascertained the value of the lands property rights rights of way easements or franchises they shall prepare a full report of their labors. Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same. Ten days' written notice of the time and place of such meeting together with a copy of said report shall be given to the commission to the Attorney General and to the owner or owners of the property condemned. At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto. After making any changes in such report as they may deem necessary the same shall be filed in the court. Within thirty days after the filing of the report in the court the commission acting through the Department of Justice or any person interested may file exceptions thereto. Whereupon the court shall either confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers. Within thirty days after the final action on the report by the court the commission acting through the Department of Justice or any person interested may demand a trial by jury. From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court. Each of the viewers shall receive a sum

not exceeding ten dollars (\$10) for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the commission shall be taken in the name of the commission Prior to physical entry upon the land the commission shall be under no obligation to accept and pay for any property condemned or any costs incidental to any condemnation proceedings Provided however That in any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the commission to enter upon accept and pay for the property but neither such undertaking or security nor any act or obligation of the commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

In addition to the foregoing powers the commission and its authorized agents and employes may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass nor shall an entry for such purposes be deemed an entry under and condemnation proceedings which may be then pending Provided however That the commission shall make reimbursement for any actual damages resulting to such lands waters and premises as a result of such activities

All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania notwithstanding any contrary provision of law are hereby authorized and empowered to lease lend grant or convey to the commission upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships other political subdivisions and municipalities or public agencies and commissions of the Commonwealth of Pennsylvania may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the effectuation of the authorized purposes of the commission including public roads and other real property already devoted to public use

Section 10 Whenever the commission decides to acquire any lands rights rights of way easements and franchises or interests therein by condemnation or hereinbefore provided and tendered a bond or other security to secure the owner or owners for damages and the same has been accepted or if the acceptance of said bond has been refused and the same has been filed in and approved by the court in which such condemnation proceeding is instituted the commission shall have the right to immediate possession of the property which is the subject matter of the condemnation proceedings and may enter thereon in the name of the commission If the owner lessee or occupier of any of said premises shall refuse to remove his personal property therefrom or give up possession thereof the commission may proceed to obtain possession in the manner now provided by law for the obtaining possession by the Secretary of Highways of occupied structures

Section 11 The commission is hereby authorized to provide by resolution at one time or from time to time for the issuance of turnpike revenue bonds of the Commonwealth for the purpose of paying the cost as hereinabove defined of the turnpike which resolution shall recite an estimate of such cost The principal and interest of such bonds shall be payable solely from the special fund herein provided for such payment The bonds shall be

dated shall bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the commission and may be made redeemable before maturity at the option of the commission at such price or prices and under such terms and conditions as may be fixed by the commission prior to the issuance of the bonds Provided however That the amount of premium on any bonds shall not cause the yield to be more than six per centum per annum from the date of such bonds to the date of their redemption The bonds may be issued in series with varying provisions as to rates of interest maturity and other provisions not inconsistent with this act but all bonds of whatever series shall share ratably in the tolls hereinafter pledged as security therefor The principal and interest of such bonds may be made payable in any lawful medium The commission shall determine the form of bonds including any interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth The bonds shall bear the facsimile signatures of the Governor and of the chairman of the commission and the facsimile of the official seal of the commission shall be affixed thereto attested by the secretary and treasurer of the commission and any coupons attached thereto shall bear the facsimile signature of the chairman of the commission In case any officer whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds such signatures shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery All revenue turnpike bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the Negotiable Instruments Law of the Commonwealth The bonds may be issued in coupon or in registered form or both as the commission may determine and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest and registered and coupon bonds shall be interchangeable The commission may sell such bonds in such manner and for such price as it may determine to be for the best interest of the Commonwealth but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six per centum per annum computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values The proceeds of such bonds shall be used solely for the payment of the cost of the turnpike and shall be disbursed upon requisition of the chairman of the commission under such restrictions if any as the resolution authorizing the issuance of the bonds or the trust indenture hereinafter mentioned may provide If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the turnpike additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued If the proceeds of the bonds shall exceed the cost of the turnpike the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds Prior to the preparation of definitive bonds the commission may under like restrictions issue temporary bonds with or without coupons exchangeable for definitive bonds upon the issuance of the latter The commission may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost Such turnpike revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings con-

ditions and things which are specified and required by this act

Such bonds are hereby made securities in which all State and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

Section 12 All moneys received from any bonds issued pursuant to this act shall be applied solely to the payment of the cost of the turnpike or to the appurtenant fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds or the trustee hereinafter provided for in respect of such bonds

Section 13 In the discretion of the commission such bonds may be secured by a trust indenture by and between the commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth Such trust indenture may pledge or assign tolls and revenue to be received but shall not convey or mortgage the turnpike or any part thereof Either the resolution providing for the issuance of such bonds or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law including covenants setting forth the duties of the commission in relation to the acquisition of properties and the construction maintenance operation and repair and insurance of the turnpike and the custody safeguarding and application of all moneys It shall be lawful for any bank or trust company incorporated under the laws of this Commonwealth to act as depository of the proceeds of the bonds or revenues and to furnish such indemnity bonds or to pledge such securities as may be required by the commission Such indenture may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations In addition to the foregoing such trust indenture may contain such other provisions as the commission may deem reasonable and proper for the security of bondholders All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance operation and repair of the turnpike

Section 14 The accomplishment by the commission of the authorized purposes stated in this act being for the benefit of the people of the Commonwealth and for the improvement of their commerce and prosperity in which accomplishment the commission will be performing essential governmental functions the commission shall not be required to pay any taxes or assessments on any property acquired or used by it for the purposes provided in this act and the bonds or other securities and obligations issued by the commission their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth

Section 15 The commission is hereby authorized to fix and to revise from time to time tolls for the use of the

turnpike and the different parts or sections thereof and to charge and collect the same and to contract with any person partnership association or corporation desiring the use of any part thereof including the right of way adjoining the paved portion for placing thereon telephone telegraph electric light or power lines gas stations garages stores hotels restaurants and advertising signs or for any other purpose except for tracks for railroad or railway use and to fix the terms conditions rents and rates of charges for such use Such tolls shall be so fixed and adjusted as to provide a fund at least sufficient with other revenues of the turnpike if any to pay (a) the cost of maintaining repairing and operating the turnpike and (b) the bonds and the interest thereon and all sinking fund requirements and other requirements provided by the resolution authorizing the issuance of the bonds or by the trust indenture as the same shall become due Such tolls shall not be subject to supervision or regulation by any other State commission board bureau or agency The tolls and all other revenues derived from the turnpike except such part thereof as may be required to pay the cost of maintaining repairing and operating the turnpike and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of the bonds or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds as such interest shall fall due (2) the principal of the bonds as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds retired by call or purchase as herein provided The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds issued hereunder without distinction or priority of one over another Subject to the provisions of the resolution authorizing the issuance of bonds or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds then outstanding may be applied to the purchase or redemption of bonds All bonds so purchased or redeemed shall forthwith be cancelled and shall not again be issued

Section 16 The commission is hereby authorized to provide by resolution for the issuance of turnpike revenue refunding bonds of the Commonwealth for the purpose of refunding any turnpike revenue bonds issued under the provisions of this act and then outstanding The issuance of such turnpike revenue refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Commonwealth and of the commission in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable and by the following provisions

(a) No turnpike revenue refunding bonds shall be delivered unless delivered in exchange for turnpike revenue bonds to be refunded thereby except in the amount necessary to provide for the payment of matured or redeemable turnpike revenue bonds or turnpike revenue bonds maturing or redeemable within three months including any redemption premium thereon

(b) No turnpike revenue refunding bonds shall be issued unless issued to refund turnpike revenue bonds which have matured or will mature within three months or unless the interest rate of the turnpike revenue refunding bonds shall be at least one-fourth of one per centum less than the interest rate borne by the turnpike revenue bonds to be refunded

Section 17 Any holder of bonds issued under the provisions of this act or any of the coupons attached thereto and the trustee under the trust indenture if any except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bond

or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the commission or any officer thereof including the fixing charging and collecting of tolls for the use of the turnpike

Section 18 When all bonds and the interest thereon shall have been paid or a sufficient amount for the payment of all bonds and the interest to maturity thereon shall have been set aside in trust for the benefit of the bondholders and shall continue to be held for that purpose the turnpike and the connecting roads tunnels and bridges shall become a part of the system of State highways and shall be maintained by the Department of Highways free of tolls and thereupon the commission shall be dissolved and all funds of the commission not required for the payment of the bonds and all machinery equipment and other property belonging to the commission shall be vested in the Department of Highways

Section 19 The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof

Section 20 All acts and parts of acts inconsistent with this act are hereby repealed

Section 21 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraaf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Bloes,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Verner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weldner,
Driscoll,	Kamyk,	Pfaff,	Weiss,

Duffy,  
Dye,  
Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank

Keller,  
Kemp,  
Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Leisey,  
Leonard,  
Limper,

Polen,  
Posta,  
Powers,  
Price, H. W., Jr.,  
Price, R. A.,  
Probert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Welsh,  
Wescott,  
Westrick,  
Wheeler,  
Williams,  
Wood,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

## NAYS—1

Worley,

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 976, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers College to acquire a tract of land for the use of Indiana State Teachers College and making an appropriation therefor The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers College is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a tract of land in Indiana County together with any buildings or improvements erected thereon, located at 1000 Grant Street Borough of Indiana Pennsylvania bounded on the east by North Alley on the south by Green Alley on the west by borough lot 48 and on the north by Grant Street and now owned by the David A Fleming Estate for use by the Indiana State Teachers College

Section 2 Said tract of land when purchased shall be added to the lands of the Indiana State Teachers College The deed of conveyance shall be deposited with the Secretary of Internal Affairs Said land shall not be acquired until title thereto has been approved by the Department of Justice

Section 3 The sum of twelve thousand five hundred dollars (\$12,500) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,

Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsach,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varner,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 977, as follows:

An Act to authorize any administrative department board commission agency or instrumentality of the Commonwealth and in its behalf with the approval of the Governor to sell assign or transfer any lands easements or rights in lands together with improvements and any contracts or agreements to any Authority created by the General Assembly of the Commonwealth to enter into contracts with such Authority and repealing certain Acts of Assembly

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any administrative department board commission agency or instrumentality of the Commonwealth of Pennsylvania and in its behalf shall have the power and authority with the approval of the Governor to sell grant assign convey lease transfer or set over with or without consideration any lands easements or rights in lands together with improvements buildings or struc-

tures therein or thereon erected or constructed together with all furnishings or equipment pertaining thereto and also all contracts agreements choses in action or contracts which have not been completed and which involve acquiring any lands easements or rights in lands constructing improving equipping furnishing maintaining and operating any structures facilities or undertakings for and in behalf of the Commonwealth to any Authority now in existence or hereafter created by the General Assembly

Section 2 The provisions of Section 1 hereof are intended to implement and not restrict any provision of the several acts of Pennsylvania pertaining to The General State Authority The State Highway and Bridge Authority or The State Public School Building Authority

Section 3 Section 508 subsections (e) (f) and (h) of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) and the act approved the third day of June one thousand nine hundred forty-three (P. L. 826) are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsach,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krlise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 978, Printer's No. 656

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 979, entitled:

A Supplement to the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by authorizing counties of the second third fourth fifth sixth seventh and eighth classes at their option to levy a two mill personal property tax for the temporary fiscal period between the first Monday of January one thousand nine hundred fifty and the thirtieth day of June one thousand nine hundred fifty under certain circumstances providing for returns payment and penalties in such cases and providing and changing the time for the making of returns by taxpayers of taxable property for fiscal years commencing July first one thousand nine hundred fifty and each year thereafter in said counties for the payment of the tax on personal property at the rate of four mills as provided by existing law

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. ROBERTSON. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

Senate Bill No. 980, Printer's No. 671 and

Senate Bill No. 981, Printer's No. 733

were passed over at the request of the SPEAKER.

There being no objection

Senate Bill No. 983, Printer's No. 726

was passed over at the request of Mr. BRETH.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 984, as follows:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whoever hereafter erects and maintains any smoke stack flag pole elevated tank radio station tower building or other structure or obstruction to the operation of aircraft of a height in excess of ten (10) feet above the level of the landing field within one hundred fifty (150) feet of the exterior boundaries of any airport landing field or intermediate landing field commercially licensed by this Commonwealth or of a height in excess of twenty-five (25) feet within three hundred fifty (350) feet of such exterior boundaries or of a height in excess of thirty-five (35) feet within five hundred (500) feet of such exterior boundaries shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days Each day's continuation of a violation of this section shall be deemed a separate and distinct offense

Section 2 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

- |               |                |                    |               |
|---------------|----------------|--------------------|---------------|
| Altshuler,    | Frank,         | Limper,            | Robertson,    |
| Amarando,     | Frost,         | Loftus,            | Rose,         |
| Andrews,      | Gaffney,       | Lovett,            | Rosen,        |
| Bane,         | Gallagher,     | Madigan,           | Rovansek,     |
| Barkdoll,     | George,        | McCormack,         | Royer,        |
| Baumunk,      | Gibson,        | McCullough,        | Sarra,        |
| Beaver,       | Glembocki,     | McGee,             | Sax,          |
| Bednarek,     | Good,          | McKinney,          | Scanlon,      |
| Blair,        | Goodling,      | McMillen,          | Schmidt,      |
| Bloom,        | Graybill,      | McNally,           | Schuster,     |
| Boles,        | Green,         | Mihm,              | Scott,        |
| Bomberger,    | Greenwood      | Mikula,            | Seyler,       |
| Boorse,       | Greer,         | Miller,            | Shoemaker,    |
| Bower,        | Guarnieri,     | Milliken,          | Smith, C. C., |
| Brandon,      | Guthrie,       | Mills,             | Smith, W. B., |
| Brelsch,      | Hagerty,       | Mintess,           | Snider,       |
| Breth,        | Hall,          | Monroe,            | Sollenberger, |
| Brice,        | Hamilton,      | Moore, C. E.,      | Spencer,      |
| Brown, H. S., | Harney,        | Moore, H. A.,      | Stank,        |
| Brown, W. E., | Harris,        | Moran,             | Sternberg,    |
| Brunner,      | Haudenshield,  | Munley,            | Stimmel,      |
| Bucchin,      | Heatherington, | Murray,            | Stuart,       |
| Cadwalader,   | Helm,          | Musto,             | Swope,        |
| Clapper,      | Herman,        | Nagel,             | Tahl,         |
| Clendenning,  | Hersch,        | Najaka,            | Taylor,       |
| Cochran,      | Hewitt,        | Needham,           | Thompson,     |
| Cole,         | Hocker,        | Neff,              | Tompkins,     |
| Coleman,      | Hoffman,       | Nixon,             | Toomey,       |
| Conway,       | Hoggard,       | O'Dare,            | Varallo,      |
| Cooper,       | Hunter,        | O'Donnell,         | Varnier,      |
| Costa,        | Jenkins,       | Olsen,             | Verona,       |
| Dalrymple,    | Jennings,      | Orban,             | Wachhaus,     |
| DeLong,       | Jim,           | Penglase,          | Wagner,       |
| Dennison,     | Johnson,       | Pentrack,          | Wargo,        |
| Depuy,        | Jones, G. E.,  | Peta,              | Waterhouse,   |
| Dougherty,    | Jones, J. M.,  | Petrosky,          | Watkins,      |
| Driscoll,     | Jump,          | Pettigrew,         | Weidner,      |
| Duffy,        | Kamyk,         | Pfaff,             | Weiss,        |
| Dye,          | Keller,        | Polen,             | Welsh,        |
| Elder,        | Kemp,          | Posta,             | Wescott,      |
| Erb,          | Kent,          | Powers,            | Westrick,     |
| Evans,        | Kirley,        | Price, H. W., Jr., | Wheeler,      |
| Ewing,        | Kline,         | Price, R. A.,      | Williams,     |
| Felton,       | Kohl,          | Propert,           | Wood,         |
| Ferster,      | Kolankiewicz,  | Readinger,         | Worley,       |
| Filo,         | Kondrath,      | Reagan,            | Yaffe,        |
| Firmstone,    | Kratz,         | Reese,             | Yeakel,       |
| Flack,        | Kurtz,         | Reidenbach,        | Yester,       |
| Fleming,      | Lederer,       | Reilly, J. M.,     | Yetzer,       |
| Floyd,        | Lee,           | Reynolds,          | Young,        |
| Fox,          | Leisey,        | Riley, R. L.,      | Ziegler,      |
|               | Leonard,       | Robbins,           | Sorg,         |

Speaker

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 985, as follows:

An Act to authorize political subdivisions to acquire by purchase condemnation or in any other manner pillars in anthracite and bituminous coal mines or other property necessary to the support of the surface above such mines or structures thereon in order to prevent subsidence thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The duly constituted authorities of political subdivisions of this Commonwealth are hereby authorized and empowered to acquire by donation agreement lease purchase or the exercise of the power of eminent domain and own or hold in the name of such political subdivision any pillars in any anthracite or bituminous coal mine or any other necessary support of the surface over and above such mine or any interest rights or title in the same or in other real or personal property lands easements or other rights necessary to prevent subsidence collapse or caving in of the surface or structures thereon which may result from anthracite or bituminous coal mining operations and to prevent the collapse injury or destruction of any public building or any structure customarily used by the public as a place of resort assemblage or amusement including but not limited to churches schools hospitals theatres hotels and railroad stations or any public street or highway or any facility used in the service of the public by any municipal corporation municipal authority or public utility or any factory store or other industrial mercantile establishment or any cemetery or public burial ground or any dwellings or other structures in any built-up locality

Section 2 Whenever under the provisions of this act the political subdivision is authorized to acquire property rights and a reasonable price cannot be agreed upon or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown the political subdivision is hereby authorized and empowered to acquire by condemnation any lands rights easements franchises and other property deemed necessary or convenient for the attainment of the purposes hereinbefore set forth In such event application shall be made by the political subdivision or by the owner or owners to the court of common pleas of the county in which the property is located or in the case of property on the boundary line between two or more counties then in any such counties for the appointment of viewers. Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof including consequential damages such as without limitation development cost and loss of profits None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty (20) nor more than thirty (30) days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten (10) days' personal notice of the time and place of such meeting to be given to the attorney for the political subdivision or to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If

neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such lands rights easements franchises or other property including consequential damages such as without limitation development cost and loss of profits and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary When ever the viewers shall have ascertained the value of the lands rights easements franchises or other property including consequential damages such as without limitation development cost and loss of profits they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten (10) days' written notice of the time and place of such meeting together with a copy of said report shall be given to the chairman of the board to the attorney for the political subdivision and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty (30) days after the filing of the report in the court the political subdivision or any person interested may file exceptions thereto Whereupon the court may confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty (30) days after final action on the report by the court the political subdivision or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars (\$10.00) for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned shall be taken in the name of the political subdivision

Whenever the political subdivision decides to acquire any such lands rights easements franchises or other property by condemnation as hereinbefore provided the political subdivision shall have the right to immediate possession of the property which is the subject matter of the condemnation proceedings and may enter thereon If the owner lessee or occupier of any of said premises shall refuse to remove his personal property therefrom or give up possession thereof the political subdivision may proceed to obtain possession in the manner now provided by law

Section 3 This bill shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altschuler,  
Amarando,  
Andrews,

Frost,  
Gaffney,  
Gallagher,

Loftus,  
Lovett,  
Madigan,

Rose,  
Rosen,  
Rovansek,

Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Propert,	Wagner,
DeLong,	Johnson,	Reagan,	Wargo,
Dennison,	Jones, G. E.,	Reilly, J. M.,	Waterhouse,
Depuy,	Jones, J. M.,	Riley, R. L.,	Watkins,
Dougherty,	Jump,	Penglase,	Weidner,
Driscoll,	Kamyk,	Pentrack,	Weiss,
Duffy,	Keller,	Peta,	Welsh,
Dye,	Kemp,	Petrosky,	Wescott,
Elder,	Kent,	Pettigrew,	Westrick,
Erb,	Kirley,	Pfaff,	Wheeler,
Evans,	Kline,	Polen,	Williams,
Ewing,	Kohl,	Posta,	Wood,
Felton,	Kolankiewicz,	Powers,	Worley,
Ferster,	Kondrath,	Price, H. W., Jr.,	Yaffe,
Filo,	Kratz,	Price, R. A.,	Yeakel,
Firmstone,	Kurtz,	Readinger,	Yester,
Flack,	Lee,	Reese,	Yetzer,
Fleming,	Leisey,	Reidenbach,	Young,
Floyd,	Lederer,	Reynolds,	Ziegler,
Fox,	Leonard,	Riley, R. L.,	Sorg,
Frank,	Limper,	Robbins,	
		Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 986, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of West Chester State Teachers College to acquire two tracts of land for the use of West Chester State Teachers College and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of West Chester State Teachers College is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania two tracts of land consisting of approximately four and three-eighths (4 $\frac{3}{8}$ ) acres together with any and all buildings thereon erected adjacent to the property of West Chester State Teachers College in the borough of West Chester Chester County Pennsylvania in order to make such tract available for use

by West Chester State Teachers College for construction of athletic facilities and for any other purpose for which the same can be adapted

Section 2 Said tract of land when purchased shall be added to the lands of the West Chester State Teachers College The deed of conveyance shall be deposited with the Secretary of Internal Affairs Said land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 3 The sum of twenty thousand dollars (\$20,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 987, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Cheyney Training School for Teachers to acquire a tract of land in Delaware County for the use of Cheyney Training School for Teachers and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Cheyney Training School for Teachers is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land together with any buildings or improvements erected thereon in Thornbury Township Delaware County Pennsylvania commonly known as the "Old Tanglewood School Property" and containing 16.408 acres for use by Cheyney Training School for Teachers

Section 2 Said tract of land when purchased shall be added to the lands of Cheyney Training School for Teachers The deed of conveyance shall be deposited with the Secretary of Internal Affairs Said land shall not be acquired until the Title thereto has been approved by the Department of Justice

Section 3 The sum of forty thousand dollars (\$40,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 4 The provisions of the act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altschuler,	Frost,	Loftus,
Amarando,	Gaffney,	Lovett,
Andrews,	Gallagher,	Madigan,
Bane,	George,	McCormack,
Barkdoll,	Gibson,	McCullough,
Baumunk,	Glembocki,	McGee,
Beaver,	Good,	McKinney,
Bednarek,	Goodling,	McMillen,
Blair,	Graybill,	McNally,
Bloom,	Green,	Mihm,
Boles,	Greenwood,	Mikula,
Bomberger,	Greer,	Miller,
Boorse,	Guarnieri,	Milliken,
Bower,	Guthrie,	Mills,
Brandon,	Hagerty,	Mintess,
Breisch,	Hall,	Monroe,
Breth,	Hamilton,	Moore, C. E.,
Brice,	Harney,	Moore, H. A.,
Brown, H. S.,	Harris,	Moran,
Brown, Wm. E.,	Haudenshield,	Munley,
Brunner,	Heatherington,	Murray,
Bucchin,	Helm,	Musto,
Cadwalader,	Herman,	Nagel,
Clapper,	Hersch,	Najaka,
Clendenning,	Hewitt,	Needham,
Cochran,	Hocker,	Neff,
Cole,	Hoffman,	Nixon,
Coleman,	Hoggard,	O'Dare,

Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weldner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W. Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 930, as follows:

An Act to reenact and amend the title and to reenact the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 553) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 553) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" is hereby reenacted and amended to read as follows

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases

regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer [and] prothonotaries and upon insurers brokers and agents of insurers providing for appeals in certain instances and prescribing penalties

Section 2 Sections one and two of said act as amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2097) are hereby reenacted to read as follows

Section 1 Definitions Throughout this act unless the context indicates a different intention the singular includes the plural and the masculine pronoun includes the feminine and the neuter

As used in this act

(a) "Secretary" means the Secretary of Revenue of this Commonwealth

(b) "Motor vehicle" means any self-propelled device in upon or by which any person or property is or may be transported or drawn upon a public highway except tractors power shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or trolley or travel through the air

(c) "Motor vehicle liability policy" means a policy of liability insurance designating by explicit description or appropriate reference all motor vehicles with respect to which coverage is intended to be granted by said policy and insuring to the amounts or limits hereinafter specified the person named therein and any other person using or responsible for the use of any such motor vehicles with the consent express or implied of such insured against loss from the liability imposed by law upon the insured or upon such other person for injury to or death of any person other than the insured and such persons as may be covered as respects such injury or death by any workmen's compensation law and for damage to property other than property of others in charge of the insured or of his employees or other agents arising out of the ownership maintenance use or operation of any such vehicle within the continental limits of the United States of America or the Dominion of Canada or a binder pending the issuance of such policy or an endorsement to an existing policy as hereinafter provided Within the meaning of this definition separate concurrent policies whether issued by one or several insurers covering respectively personal injury or death as aforesaid and property damage as aforesaid shall be deemed a "Motor Vehicle Liability Policy"

(d) "Motor vehicle operators' policy" means a policy of liability insurance insuring the person named therein to the amounts or limits hereinafter specified against loss from the liability imposed by law upon the insured for injury to or death of any person other than the insured and such persons as may be covered as respects such injury or death by any workmen's compensation law and for damage to property other than property of others in charge of the insured or of his employees or other agents arising out of the operation by the insured of any motor vehicle within the continental limits of the United States of America or the Dominion of Canada or a binder pending the issuance of any such policy or an endorsement to an existing policy as hereinafter provided Within the meaning of this definition separate concurrent policies whether issued by one or several insurers covering respectively personal injury or death as aforesaid and property damage as aforesaid shall be deemed a "Motor Vehicle Operators' Policy"

(e) "Operator" means the person including a chauffeur in actual physical control of a motor vehicle upon a highway

(f) "Operator's License" means the license issued to any person to operate a motor vehicle within the State

(g) "Owner" has the same meaning as in the laws requiring the registration of motor vehicles within this State

(h) "Person" means a natural person firm copartnership association or corporation

(i) "Proof of financial responsibility" means evidence in a form authorized by this act of ability to respond in damages resulting from the operation or ownership of a motor vehicle and arising by reason of personal injury to or death of any one person in the amount of at least five thousand dollars (\$5000) and subject to such limit for any one person injured or killed in an amount of at least ten thousand dollars (\$10,000) for injury to or the death of two or more persons in any one accident and for damage to property in the amount of at least one thousand dollars (\$1000) resulting from any one accident

Section 2 Evidence of Ability to Respond in Damages For the purposes of this act the following will be deemed evidence of ability to respond in damages

(a) When proof of financial responsibility is required as a condition precedent to the granting of renewal of an operator's license or to the termination of the suspension thereof the written certificate of an insurer duly authorized to transact business within the state of residence of the person applying for such license or seeking to terminate the suspension thereof that it has issued to him or for his benefit a motor vehicle operator's policy or a motor vehicle liability policy which at the date of the certificate is in full force and effect and will so continue until the expiration of fifteen days after notice of expiration or cancellation shall first have been given to the secretary in writing

(b) When proof of financial responsibility is required of an owner of a motor vehicle as a condition precedent to the registration thereof or to the termination of the suspension of such registration the written certificate of an insurer duly authorized to transact business within the state of residence of the person applying for such registration or for the termination of the suspension thereof that it has issued to him or for his benefit a motor vehicle liability policy which at the date of the certificate is in full force and effect and will so continue the expiration of fifteen days after notice of expiration or cancellation shall first have been given to the secretary in writing The secretary shall not accept any such certificate unless all motor vehicles registered in the name of the owner from whom proof is required are covered by the policies mentioned in such certificate or in it and other similar certificates furnished at the same time and an additional certificate shall be required as a condition precedent to the registration in the name of such owner of any motor vehicle not covered by the certificate or certificates on file

(c) In any case a bond conditioned for the payment of the amounts herein required for injury to or the death of persons and damage to property arising out of the ownership maintenance use or operation by the principal of a motor vehicle within the continental limits of the United States of America or the Dominion of Canada having as surety a corporation duly authorized to transact a surety business within the state of residence of the person applying for an operator's license the registration of a motor vehicle or the termination of the suspension of such license or registration Any such bond shall expressly provide that it shall not be cancellable until the expiration of fifteen days' written notice to the secretary and shall designate the State as obligee but shall expressly provide that suit may be brought against the principal or surety named therein by any person or persons who may have a cause of action against the principal obligor for damages resulting from a motor vehicle accident in the event that the principal obligor does not within fifteen days from the time the judgment becomes final pay within the limits hereinbefore specified any final judgment entered against him for damages sustained as the result of such accident

(d) In any case the deposit with the secretary of the sum of eleven thousand dollars (\$11,000) in cash which the secretary shall turn over to the State Treasurer as custodian and which the secretary shall employ in paying

within the limits hereinbefore specified any final judgment or judgments which may be entered against the depositor for injury to or the death of persons and damage to property arising out of the ownership maintenance use or operation by the depositor subsequent to the date of the deposit of a motor vehicle within the continental limits of the United States of America or the Dominion of Canada Interest on money deposited hereunder shall be paid to the depositor at the highest rate which the State receives on its deposits payment to be made out of moneys from time to time appropriated for the purpose

Section 3 Sections three four and five of said act are hereby reenacted to read as follows

Section 3 Penalty for Executing or Presenting Forged or Unauthorized Evidence of Ability to Respond in Damages Any person who shall forge or knowingly without authority sign any certificate or bond intending the same to be used as evidence of ability to respond in damages under this act and any person knowingly furnishing to the secretary a forged or unauthorized certificate or bond as such evidence shall be guilty of a misdemeanor and upon conviction thereof shall be imprisoned for not more than one year and fined not less than one hundred dollars (\$100) or more than one thousand dollars (\$1000) in the discretion of the court

Section 4 Payment of Claims When Cash is Deposited as Evidence of ability to Respond in Damages The State Treasurer upon requisition of the secretary shall pay final judgments arising out of the ownership maintenance use or operation of a motor vehicle by a depositor of cash as evidence of ability to respond in damages in the order in which claims are made upon the secretary for payment but claim shall not be made prior to the date when a judgment becomes final and any claim made prior to such date shall be void and of no effect Every claimant shall file with the secretary a certified transcript of such parts of the proceedings as are necessary to show that the judgment is one coming within the terms of this section together with a certificate from a judge of the court in which the judgment was entered that the judgment has become final because an appeal was not taken within the time allowed by law or because the appellate court of last resort has affirmed the judgment Upon receipt of such transcript the secretary shall give notice in writing to the depositor stating that fifteen days after the date of the notice he will present to the State Treasurer his requisition for the amount of the judgment or such part thereof as can be paid from the deposited fund unless within that time objection with the reasons therefor be filed by the depositor with the secretary If objection be filed by the depositor the secretary shall refer to the Attorney General any questions raised by the depositor and shall be guided by the Attorney General's advice but notice of the disposition of the objection shall be given to the claimant and to the depositor and payment shall not be made until after the expiration of fifteen days after such notice has been given The depositor may by bill in equity seek to enjoin the payment of any claim contrary to his objection filed as herein provided and the claimant may by writ of mandamus seek to compel payment if the secretary sustains the objection filed by the depositor

Section 5 Cash Deposited Not Subject to Legal Process Money deposited with the secretary and held by the State Treasurer as evidence of ability to respond in damages shall not be subject to garnishment attachment or execution

Section 4 Section six and seven of said act as amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2097) are hereby reenacted to read as follows

Section 6 Insurance Policies Must Contain Certain Provisions to Constitute Proof of Financial Responsibility Binders Endorsements Insurance policies in order to constitute proof of financial responsibility under this act shall be subject to the provisions hereinafter stated and

any insurance carrier which executes a certificate that it has issued a motor vehicle operator's policy or a motor vehicle liability policy for the purpose of enabling any person to furnish proof of financial responsibility hereunder shall be conclusively presumed to have issued the policy mentioned in such certificate subject to such provisions whether or not they are set forth therein

(a) Should an execution on a final judgment against the insured in an action covered by a motor vehicle operator's policy or motor vehicle liability policy be returned unsatisfied the judgment creditor shall have a right of action against the insurer to the same extent that the insured would have had had such insured paid such final judgment No such policy shall be cancelled or annulled as respects any loss or damage by any agreement between the insurer and the insured after such loss or damage has occurred and any such cancellation or annulment shall be void The policy may provide that the insured or any other person covered by the policy shall reimburse the insurer for payments made on account of any accident claim or suit involving a breach of the terms provisions or conditions of the policy and further if the policy shall provide for limits in excess of the limits designated in this act the insurer may plead against a judgment creditor of the insured with respect to the amount of such excess limits of liability any defenses which it may be entitled to plead against the insured Any such policy may further provide for the pro-rating of the insurance thereunder with other applicable valid and collectible insurance

(b) The policy the written application therefor if any and any rider or endorsement which shall not conflict with the provisions of this act shall constitute the entire contract between the parties

(c) The insurer shall upon the request of the insured deliver to the insured for filing or at the request of the insured shall file direct with the secretary an appropriate certificate for the purpose of furnishing proof of the assured's financial responsibility as provided by this act

(d) Any insurer authorized to issue motor vehicle operator's policies or motor vehicle liability policies as provided in this act may pending the issuance of such a policy execute an agreement to be known as a binder or may in lieu of such a policy issue an endorsement to an existing policy each of which shall be construed to provide indemnity or protection in like manner and to the same extent as such a policy The provisions of this section shall apply to such binders and endorsements

(e) This act shall not be construed to prevent any insurance carrier from granting any lawful coverage in excess of or in addition to the coverage required by this act as proof of financial responsibility or from embodying in such policy any agreements provisions or stipulations not contrary to the provisions of this act and not otherwise unlawful

Section 7 Proof of Financial Responsibility Required When Operator's License or Operating Privilege Has Been Revoked or Suspended or Become Subject to Revocation or Suspension Whenever the secretary shall revoke or suspend the operator's license of a resident or shall suspend the operating privilege of a nonresident under the mandatory provisions of any law now in effect or hereafter enacted such license or operating privilege shall not be renewed unless and until the former holder of the license or privilege has furnished proof of financial responsibility and whenever the secretary shall in the exercise of his discretion revoke or suspend the operator's license of a resident or the operating privilege of a nonresident or whenever the secretary has the right in his discretion to revoke or suspend an operator's license of a resident or the operating privilege of a nonresident but is disposed in the exercise of his discretion not to do so he may require the holder of the license or operating privilege to furnish proof of financial responsibility before such license or operating privilege shall be renewed or reinstated or continued

Section 5 Section eight of said act as last amended by the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 855) is hereby reenacted to read as follows

Section 8 Proof of Financial Responsibility Required as Condition Precedent to Issuance or Renewal of Operators' Licenses to Persons Having Certain Accident Record Suspension of Operators' Licenses Penalty (a) Until proof of financial responsibility has been furnished to the secretary an operator's license shall not be issued or period while operating a motor vehicle either within or renewed to a person who within any twelve months' outside of this State had one or more accidents caused wholly or partially by his negligence which caused injury to persons or damage to property excluding injury to himself and damage to motor vehicles operated by such person amounting in the aggregate to more than one hundred dollars (\$100) or the operator's license of any person who while operating a motor vehicle either within or without this State had an accident caused by his negligence which caused injury to persons or damage to property excluding injury to himself and damage to motor vehicles operated by such person amounting in the aggregate to more than one hundred dollars (\$100) may be suspended after a hearing by secretary unless proof of financial responsibility has been furnished to the secretary except that where an operator by his negligence has caused one (1) or more accidents within any twelve (12) months' period resulting in injury to persons or damage to property excluding injury to himself and damage to more vehicles operated by himself amounting in the aggregate to more than one hundred dollars (\$100) and such operator or other person or insurer has paid all the claims arising from such accidents or if such operator or owner at the time of such accident or accidents was self insured in a manner satisfactory to the Pennsylvania Public Utility Commission or to the secretary in an amount sufficient to pay all claims for such injuries and damages or carried insurance in a solvent insurance carrier which would be liable to respond in damages in an amount sufficient to pay all claims for such injuries and damages then such operator shall exempt from the provisions of this section The amount of damages caused by accidents in which the applicant was involved will be deemed to have been the amount paid in settlement of claims of other persons if all such claims have been settled and if such claims have not been paid then the amounts claimed by persons injured and by the persons entitled to recover for the death of persons killed and by the owners of property damaged or judgments obtained by such other persons

(b) For the purposes of this section where all claims have not been paid and the operator or owner either has not carried insurance in a solvent insurance carrier which would be liable to respond in damages in an amount sufficient to pay all such claims or was not self insured in a manner satisfactory to the Pennsylvania Public Utility Commission or to the secretary in an amount sufficient to pay all such claims the happening of an accident while a person is operating a motor vehicle shall be prima facie evidence that it was caused wholly or partly by such person's negligence but the secretary may upon application of such person conduct an inquiry into the circumstances under which the accident occurred and thereupon find that the accident occurred without any negligence on the part of such person or that the damages are not in the amount claimed Damages may be deemed to be claimed only the secretary has received a notification of the amount of damages claimed from the person injured the person entitled to recover for the death of the person killed or the owner of property damaged which notification shall be subscribed to and verified by the oath or affirmation of such person and a copy of the receipted bill or a copy of the bill rendered or a copy of the estimate of the probable cost prepared by a qualified person and subscribed to and verified by oath

or affirmation of the person acknowledging payment rendering the bill or preparing the estimate

(c) The secretary's findings or such notification shall not be admissible in evidence in any court proceeding for damages instituted either by or against such person or in any criminal proceeding arising out of such accident

(d) Any person making a misstatement of fact in notification required under subsection (b) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not more than one year or by a fine not exceeding one thousand dollars (\$1000) or both in the discretion of the court

Section 6 Section nine of said act is hereby reenacted to read as follows

Section 9 Secretary to Require Accident Record Before Issuing or Renewing Operator's License It shall be the duty of the secretary before issuing or renewing an operator's license to an applicant therefor to cause him to state to the secretary specifically the number of accidents causing injury to persons or damage to property including motor vehicles operated by the applicant in which the applicant was involved during the preceding twelve months while operating a motor vehicle either within or outside of this State and the aggregate amount of damages caused by such accidents

Section 7 Section ten of said act as amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2097) is hereby reenacted to read as follows

Section 10 Penalty for Failure to Furnish Correct Accident Record Any person who fails to give correctly the information required of him by the secretary in connection with an application for the issuance or renewal of an operator's license shall be ineligible to operate a motor vehicle within this State for a period of two years from the date when the secretary ascertains that the information was not correctly given If such person at that date holds an operator's license it shall forthwith be revoked and shall not be renewed under any circumstances until the two-year period has expired If such person does not hold an operator's license such license shall not be issued to him until the expiration of the two-year period Upon the expiration of the two-year period such person shall not receive an operator's license until he has furnished proof of financial responsibility

Section 8 Section eleven of said act as last amended by the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 855) is hereby reenacted to read as follows

Section 11 Proof of Financial Responsibility Required of Persons Who Fail to Satisfy Judgments Arising Out of Motor Vehicle Accidents Operator's License and Registration Certificates to Be Suspended Until Satisfaction of Judgment If within fifteen days after it becomes final any person fails to satisfy any judgment rendered against him by a court of competent jurisdiction in this or any other State or the District of Columbia or any province of the Dominion of Canada or by a district Court of the United States for damages on account of personal injury or of damage to property in excess of five dollars and thirty-three cents (\$5.33) resulting from the operation subsequent to the effective date of this act by him his agent or any other person with his express or implied consent of a motor vehicle owned by him or the operation by him or his agent of a motor vehicle not owned by him the secretary upon receiving a certified copy of such final judgment from the court in which the same was rendered shall give such person notice within five (5) days after receiving such certified copy by registered mail at his last address recorded in the Department of Revenue that his operator's license and all of his registration certificates will be suspended unless such judgment is satisfied within twenty (20) days from the date of such notice Upon failure to satisfy any such judgment the secretary shall forthwith suspend such person's operator's license and all of his registration certificates and they shall remain suspended and shall not be renewed nor

shall any other motor vehicle be thereafter registered in his name while such judgment remains unsatisfied and subsisting and until he has furnished proof of financial responsibility for future accidents. Provided however That when any person whose operator's license and registration certificate have been suspended or revoked under the provisions of this section at the time of such accident was self insured in a manner satisfactory to the Pennsylvania Public Utility Commission or to the secretary in an amount sufficient to pay all claims for such injuries and damages or carried insurance in a solvent insurance carrier which would be liable to respond in damages in an amount sufficient to pay the judgment rendered against him the secretary shall have the authority to issue or renew the operator's license and registration certificate of such person after such judgment has been satisfied without first requiring proof of financial responsibility.

If such person is not a resident of this State he shall not be permitted to operate any motor vehicle in this State and it shall not be lawful for any other person knowing that such operation is not permitted to operate in this State any motor vehicle owned by such nonresident while such judgment remains unsatisfied and subsisting and until such nonresident has furnished proof of financial responsibility for future accidents.

If after such person has satisfied such judgment within the meaning of this act and has furnished proof of financial responsibility any other such judgment shall be recovered against him for any accident occurring before such proof was furnished his operator's license and registration certificates shall again be and remain suspended while such other judgment remains unsatisfied and subsisting.

Section 9 Section twelve of said act is hereby reenacted to read as follows:

Section 12 What to be Deemed Satisfaction of Judgment For the purposes of this act but only for such purposes the following will be deemed satisfaction of judgments resulting from the ownership or operation of motor vehicles:

(a) When a judgment has been paid in full or when five thousand dollars (\$5000) has been credited upon any judgment or judgments rendered in excess of that amount for personal injury to or the death of one person as the result of any one accident or

(b) When a judgment has been paid in full or when subject to the limit of five thousand dollars (\$5000) for each person the sum of ten thousand dollars (\$10,000) has been credited upon any judgment or judgments rendered in excess of that amount for personal injury to or death of more than one person as the result of any one accident or

(c) When a judgment has been paid in full or when one thousand dollars (\$1000) has been credited upon any judgment or judgments rendered in excess of that amount for damage to property as the result of any one accident.

Section 10 Section thirteen of said act as amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2097) is hereby reenacted to read as follows:

Section 13 Courts to Certify Motor Vehicle Accident Judgments to Secretary of Revenue Secretary to Forward Certificates to Proper Officer of Other State if Debtor is Nonresident Penalty

(a) It shall be the duty of the prothonotary or clerk of any court of this State in which any judgment for damages resulting from the operation of a motor vehicle is rendered to forward immediately to the secretary a certified copy of such judgment or transcript thereof and the address of the judgment creditor and debtor.

(b) In the event the defendant is a nonresident it shall be the duty of the secretary to transmit to the Commissioner of Motor Vehicles or other proper officer of the state of which the defendant is a resident a certified copy of such judgment.

(c) Any person who violates any of the provisions of

subsection (a) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100) and not more than five hundred dollars (\$500) or by imprisonment of not less than six (6) months and not more than three (3) years or both in the discretion of the court.

Section 11 Section fourteen of said act is hereby reenacted to read as follows:

Section 14 Disability of Operator Whose License is Suspended Under This Act to Operate Under Foreign License Any person whose operator's license has been suspended under this act or whose operator's license cannot be renewed or to whom an operator's license cannot be issued until he has furnished proof of financial responsibility shall not have the privilege of operating a motor vehicle within this State under an operator's license is sued by any other state until he has furnished to the secretary proof of financial responsibility.

Section 12 Sections fifteen sixteen and seventeen of said act as amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2097) is hereby reenacted to read as follows:

Section 15 Suspension of Operator's License or Registration Certificates upon Cancellation of Insurance or Surety Bond Whenever the secretary is notified of the cancellation of any policy of insurance mentioned in a certificate furnished as evidence of ability to respond in damages or of a surety bond furnished as such evidence he shall forthwith suspend the operator's license and registration certificates if any in connection with the issuance continuance or renewal of which such evidence was furnished or policy of insurance continued and such cancellation shall remain effective until other proof of financial responsibility has been furnished to the secretary.

Section 16 Proof of Financial Responsibility Once Required to Be Maintained (a) Whenever in accordance with the provisions of this act a person has furnished proof of financial responsibility for the purpose of obtaining an operator's license or the registration of a motor vehicle owned by him it shall be obligatory upon such person thereafter to maintain such proof until he shall have been relieved by the secretary of the duty of maintaining such proof as hereinafter provided and in the event that such proof lapses or becomes diminished in security or amount it shall be the duty of the secretary to suspend the operator's license and certificates if any in connection with which such proof was furnished until proof sufficient in amount has again been furnished.

(b) The secretary may relieve a person of the duty of maintaining or furnishing such proof at any time after three years shall have elapsed since such proof was first required or furnished if during the three years' period immediately preceding such person shall not have committed any violation of the law because of which the secretary revoked or suspended or would have had the right to revoke or suspend such person's operator's license and if within said three years' period such person shall not have had while operating a motor vehicle either within or outside of this State one or more accidents caused wholly or partially by his negligence which resulted in injury to persons or damage to property excluding motor vehicles operated by such person amounting in the aggregate to more than one hundred dollars (\$100.00) and if there shall not be any pending claim or unsatisfied judgment against such person for damages resulting from the operation or ownership of a motor vehicle by such person during the three years' period.

Section 17 Penalty for Operating Motor Vehicle After Suspension or Before Reinstatement of Operator's License or Operating Privilege Any person who operates a motor vehicle within this State after his operator's license or operating privilege has been suspended or withdrawn and before such license or privilege has been reinstated and any person a nonresident of this State who operates a motor vehicle within this State after his operating privilege has been suspended or withdrawn and before

such operating privilege has been reinstated shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not more than one (1) year or by fine not exceeding one thousand dollars (\$1000) or both in the discretion of the court

Section 13 Sections eighteen nineteen twenty and twenty-one of said act are hereby reenacted to read as follows

Section 18 Substitution of Evidence of Ability to Respond in Damages Cancellation of Bond or Refund of Cash Whenever proof of financial responsibility has been furnished to the secretary he may upon request permit the substitution of evidence of another kind provided for in this act for the particular evidence of ability to respond in damages which has been filed or deposited with him and whenever a person has deposited with the secretary as evidence of his ability to respond in damages a bond or cash in the amount of eleven thousand dollars (\$11,000) as hereinbefore provided the secretary may permit the bond to be cancelled or cause to be returned such cash or the balance thereof remaining in the hands of the State Treasurer if and when he has relieved such person of the duty of maintaining proof of financial responsibility as heretofore in this act provided or upon the surrender for cancellation of such person's operator's license and registration certificates and the filing with the secretary of an affidavit that there is no claim pending against such person for damages resulting from the operation or ownership of a motor vehicle subsequent to the filing of the bond or the deposit of cash and that he has abandoned his residence in this State or that he has made a bona fide sale of all motor vehicles owned by him and does not intend to own or operate any motor vehicle for a period of at least one year The secretary may also permit the bond to be cancelled or cause cash to be paid to the estate of such person upon proof of his death and that there is no claim pending against such estate for damages resulting from the operation or ownership of a motor vehicle by such person as aforesaid

Before surrendering a bond or causing cash to be returned the secretary may give such notice and make such investigation as he may deem necessary

After the secretary shall have permitted any person's bond to be cancelled or cash returned upon surrender of his operator's license and registration certificate and the filing of an affidavit as provided in this section such person shall not thereafter be eligible to be licensed as an operator or to have automobiles owned by him registered until he shall again have furnished proof of financial responsibility

Section 19 Penalty for Operating Motor Vehicle After Cancellation of Bond or Refund of Cash Any person who has induced the secretary to permit his bond to be cancelled or to return or cause to be returned cash or the balance thereof deposited as evidence of ability to respond in damages as provided in the preceding section of this act and within one year thereafter without having furnished to the secretary proof of financial responsibility operates a motor vehicle within this State or permits any other person to operate within this State a motor vehicle owned by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to imprisonment for not more than one year or a fine of not more than one thousand dollars (\$1000) or both in the discretion of the court

Section 20 Secretary of Revenue to Furnish Information to Insurers Sureties and Others The secretary shall upon request furnish to any insurer or surety company or person a certified abstract of the operating record of any person subject to the provisions of this act which abstract shall fully designate the motor vehicles if any registered in the name of such person and if there be no record of any conviction of such person of a violation of any provision of the laws regulating the operation of motor vehicles on the highways or of any injury or damage caused by such person in operating motor vehicles the secretary shall so certify The secretary shall require

the payment of a fee of two dollars (\$2.00) for each certificate furnished hereunder Such record shall not be admissible as evidence in any action for damages or criminal proceeding arising out of an automobile accident

Section 21 Secretary to Furnish Information to Persons Injured in Motor Accidents Et Cetera Upon written requests and the payment of a fee of one dollar (\$1.00) the secretary shall furnish to any person who has been injured or whose property has been damaged by any motor vehicle or to those entitled to recover for the death of a person injured by a motor vehicle or to the attorney for any such person all information of record in his office pertaining to the evidence of ability to respond in damages of the operator or owner of the motor vehicle involved in such injury or damage

Section 14 Sections twenty-two twenty-three and twenty-four of said act as added by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2097) are hereby reenacted to read as follows

Section 22 Right of Appeal to Court from Suspension or in Lieu of Suspension Any person whose motor vehicle registration operator's license or learner's permit has been suspended or revoked by the secretary under the provisions of this act or any person who has been required to establish proof of financial responsibility in lieu of a suspension or revocation shall have the right to file a petition within thirty (30) days thereafter for a hearing de novo in the matter in the court of common pleas of the county in which the operator or permittee resides or of the county of Dauphin in appeals filed by persons who are nonresidents of this Commonwealth and such court is hereby vested with jurisdiction and it shall be its duty to set the matter down for a hearing upon thirty (30) days written notice to the secretary and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is subject to suspension or revocation or either of them of motor vehicle registration operator's license or learner's permit under the provisions of this act

Section 23 Payment of Judgment in Installments A judgment debtor to whom this act applies may for the sole purpose of giving authority to the secretary to authorize the judgment debtor to operate a motor vehicle thereafter on due notice to the judgment creditor apply to the court in which the trial judgment was obtained for the privilege of paying such judgment in installments and the court in its discretion and without prejudice to any other legal remedies which the judgment creditor may have so order fixing the amounts and times of payment of the installments While the judgment debtor is not in default in the payment of such installments the secretary upon his giving proof of ability to respond in damages for future accidents as hereinbefore provided may in his discretion restore or refrain from suspending his license and registration certificates but such license and certificates shall be suspended as hereinbefore provided if and when the secretary is satisfied that the judgment debtor has failed to comply with the terms of the court order

Section 24 Rates of Premiums Shall Be Uniform Penalty No insurer or corporate surety company or agent or officer thereof on its behalf shall because of the race or color of any person refuse to issue or execute a policy of insurance or bond establishing the financial responsibility of such person as required in this act and no insurer or corporate surety company or agent or officer thereof on its behalf shall because of the color or race of any person charge or receive from such person otherwise in the same risk classification a premium for a policy of insurance or bond at a rate in excess of the rate charged any other person

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than two hundred dollars (\$200.00) or shall undergo imprison-

ment for not more than one (1) year or both in the discretion of the court

Section 15 Section twenty-five of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 1075) is hereby reenacted to read as follows

Section 25 Restrictions to Be Stated on Operator's Card Removal of Restrictions Penalty (a) When a certificate of a motor vehicle liability policy of insurance has been furnished as compliance with the requirements of proof of financial responsibility as prescribed in this act and such liability policy extends only to designated vehicles the operator shall surrender his operator's card to the secretary and the secretary shall designate by explicit description or appropriate reference the vehicle described or identified in such certificate of motor vehicle liability policy upon the operator's license card of the person whose operator's privilege is so limited and return such card to the operator

(b) In the event a person establishes proof of financial responsibility by means of a motor vehicle liability policy of insurance and during the time that such proof is required to be maintained desires to be relieved of the limitations prescribed in the policy and be permitted to operate any motor vehicle he may have such restrictions removed upon filing a certificate of the insurer showing that there has been issued to him a motor vehicle operator's policy

(c) No person who has furnished a motor vehicle liability policy of insurance or on whose behalf a certificate of motor vehicle liability policy of insurance has been furnished as compliance with the requirements of this act or who has retained or received an operator's license under such motor vehicle liability policy of insurance shall operate in this Commonwealth any vehicle not covered by such insurance or shall operate a motor vehicle without having in his possession his operator's card designating by explicit description or appropriate reference such vehicle

(d) Whenever a motor vehicle liability policy for any vehicle that is required to be explicitly described or identified by appropriate reference on an operator's card is cancelled or lapses such operator shall immediately return the operator's card to the secretary and notify the secretary of such cancellation or lapse and such operator shall not operate any vehicle on the highways of this Commonwealth until he has been properly authorized to do so and has received from the department a corrected operator's card

(e) No person who is an owner of or in possession or control of a vehicle shall permit or direct any other person required to establish proof of financial responsibility to operate such vehicle in violation of any of the provisions of this act

Penalty Any person who violates any of the provisions of subsections (a) (c) (d) or (e) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not more than one (1) year or by a fine not exceeding one thousand dollars (\$1000) or both in the discretion of the court

Section 16 Sections twenty-six and twenty-seven of said act as added by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2097) are hereby reenacted to read as follows

Section 26 Reports Required of Insurance Companies Penalty (a) Every insurer engaging in the business of writing insurance against automobile liability automobile property damage or automobile collision insurance risks in this Commonwealth shall under oath or affirmation on a form and in a manner prescribed by the secretary on or before the first day of every September notify the secretary of

1 The number of commercial vehicles and noncommercial vehicles registered in this Commonwealth in the previous calendar year for which policies of automobile insurance have been issued

2 The number of commercial vehicles and noncom-

mercial vehicles for which policies of automobile insurance have been issued under the provisions of this act and the number of applications for such insurance that have been refused in the previous calendar year together with the name and address of the applicant for such insurance

(b) Every insurer engaging in the business of writing insurance against automobile liability automobile property damage or automobile collision insurance risks in this Commonwealth shall require each of its brokers or agents or representatives in this Commonwealth and it shall be the duty of such brokers agents or representatives upon refusing to accept an application for automobile insurance of any person required to establish proof of financial responsibility to notify the insurer immediately of the name and address of such person Provided That where such broker agent or representative is employed by or represents more than one insurer the giving of a notice herein required to any one insurer and the transmittal of such notice by such insurer to the Department of Revenue shall be sufficient compliance with the requirements of this section

Any insurer who fails to comply with any of the provisions of this section or who makes a misstatement of fact shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000)

Any broker agent or representative in this Commonwealth of an insurer engaging in the business of writing insurance against automobile liability automobile property damage or automobile collision risks in this Commonwealth who violates any of the provisions of subsection (c) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

The provisions of this section shall continue in effect for a period of five years from the effective date of this act

Section 27 The secretary shall have the authority to make regulations not inconsistent with this act for the efficient administration and enforcement of this act

Section 17 Sections twenty-eight twenty-nine thirty and thirty-one of said act as amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty seven (P. L. 2097) are hereby reenacted to read as follows

Section 28 Constitutionally If any provisions of this act or the application thereof to any person or circumstances is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are declared to be severable

Section 29 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

Section 30 Short Title This act may be cited as the "Uniform Automobile Liability Security Act"

Section 31 Repeal All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed

Section 18 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,  
Amarando,

Frost,  
Gaffney,

Loftus,  
Lovett,

Rose,  
Rosen,

Andrews,	Gallagher,	Madigan,	Rovanse,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, O. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnar,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Wescott,
Dye,	Kemp,	Posta,	Westrick,
Elder,	Kent,	Powers,	Wheeler,
Erb,	Kirley,	Price, H. W., Jr.,	Williams,
Evans,	Kline,	Price, R. A.,	Wood,
Ewing,	Kohl,	Propert,	Worley,
Felton,	Kolankiewicz,	Readinger,	Yaffe,
Ferster,	Kondrath,	Reagan,	Yeakel,
Filo,	Kratz,	Reese,	Yester,
Firmstone,	Kurtz,	Reidenbach,	Yetzer,
Flack,	Lederer,	Relly, J. M.,	Young,
Fleming,	Lee,	Reynolds,	Ziegler,
Floyd,	Leisey,	Riley, R. L.,	Sorg,
Fox,	Leonard,	Robbins,	Speaker
Frank,	Limper,	Robertson,	

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 957, as follows:

An Act to amend section nine hundred fifteen of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for city expenditures for city business

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred fifteen of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 915 City Leagues Any city may unite with other cities or with the cities of two or more classes and

may form and organize leagues of said cities and hold annual conventions for the study and consideration of such municipal affairs as concern and pertain to the cities comprising the league Each city member of a league shall send delegates thereto and pay the necessary expenses incident to their attending said convention and pay dues to the league and provide a fund for the necessary costs and expenses of the league and league conventions and the work carried on by said league Nothing herein contained shall be construed to limit the authority of council to authorize the expenditure of money to other meetings on city business

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanse,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnar,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Wescott,
Dye,	Kemp,	Posta,	Westrick,
Elder,	Kent,	Powers,	Wheeler,
Erb,	Kirley,	Price, H. W., Jr.,	Williams,
Evans,	Kline,	Price, R. A.,	Wood,
Ewing,	Kohl,	Propert,	Worley,
Felton,	Kolankiewicz,	Readinger,	Yaffe,
Ferster,	Kondrath,	Reagan,	Yeakel,
Filo,	Kratz,	Reese,	Yester,
Firmstone,	Kurtz,	Reidenbach,	Yetzer,
Flack,	Lederer,	Relly, J. M.,	Young,
Fleming,	Lee,	Reynolds,	Ziegler,
Floyd,	Leisey,	Riley, R. L.,	Sorg,
Fox,	Leonard,	Robbins,	Speaker
Frank,	Limper,	Robertson,	

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

### CONFERENCE REPORT ON SENATE BILL NO. 530

Mr. WATKINS. Mr. Speaker, I present the report of the Committee on Conference on Senate Bill No. 530.

The report was read by the Clerk.

The SPEAKER. This being a Senate bill, the report will be noted in the Journal, and will be printed by the Senate.

### CONFERENCE REPORT ON SENATE BILL NO. 399

Mr. McKINNEY. Mr. Speaker, I present the report of the Committee on Conference on Senate Bill No. 399.

The report was read by the Clerk.

The SPEAKER. This being a Senate bill, the report will be noted in the Journal, and will be printed by the Senate.

### RESOLUTION

#### CONGRATULATIONS

Messrs. BLOOM, MILLIKEN, ROBERTSON and CLENDENNING offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unaimously adopted as follows:

In the House of Representatives, April 28, 1949.

Yesterday, a former member of this House and a friend of many of the present members, was highly honored by His Excellency, the Governor, who selected him to fill the post of additional law judge of the thirty-second judicial district created by the act of April 21, 1949 (Act No. 156).

First elected to the House as a Representative of the second district of Delaware County in 1938, Arthur P. Bretherick was re-elected in 1940 and 1942. On September 13, 1943, he resigned to run for the office of Register of Wills of Delaware County which post he has held to the present day.

Never having attended a high school or college, he studied law and obtained his law degree by attending night classes at Temple University Law School and was associated for over twenty-eight years with the law office of the late Frances Shunk Brown as office boy, clerk, stenographer, secretary, office manager and attorney.

His elevation to the bench of Delaware County is a just and merited reward for a man who was determined to become a lawyer and who achieved his goal after many hard years up the ladder of success; therefore be it

Resolved, That the House of Representatives offer its sincere congratulations to the Honorable Arthur P. Bretherick upon his elevation to the bench of Delaware County and its best wishes for a successful career as a jurist; and be it further

Resolved, That the Chief Clerk of the House be directed to transmit a copy of this resolution to the Honorable Arthur P. Bretherick.

### SENATE MESSAGES

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 399.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing the change of the fiscal year by districts of the second class

#### HOUSE BILL No. 478.

An Act to further amend section one thousand four hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of account and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" further defining the right of the Department of Revenue to release liens for taxes interests penalties and other accounts due the Commonwealth

#### HOUSE BILL No. 536.

An Act to add section two thousand five hundred eleven point one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for annual payments for the Commonwealth to school districts erecting or sharing in the erection of a building or buildings or providing educational facilities under provisions of the State Public School Building Authority Act and making an appropriation

#### HOUSE BILL No. 628.

An Act to amend section four hundred seventeen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; amending, revising, consolidating, and changing the law relating thereto," by excluding from the definition "roadside menagerie" any animal exhibition at a county fair or any such exhibition when sponsored by any sportsmen's organization with the approval of the Pennsylvania Game Commission.

#### HOUSE BILL No. 665.

An Act amend that act aproved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system

including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the furnishing of free transportation or board and lodging in certain boroughs and reimbursement by the Commonwealth therefore and validating Commonwealth reimbursements heretofore made

#### HOUSE BILL No. 809.

An Act to amend section one of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by exempting from the provisions of said act explosives stored and used in connection with coal mines and coal mining operations

#### HOUSE BILL No. 814.

An Act fixing the fees and mileage of the coroner in counties of the sixth class.

#### HOUSE BILL No. 926.

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by regulating service for pensions, and eligibility for pensions.

#### HOUSE BILL No. 980.

An Act to amend sections two and thirteen of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" by changing license fee provisions providing for payment of fees and fines to the various municipalities and empowering burgesses to try violators

#### HOUSE BILL No. 1047.

An Act providing for the enforcement of foreign judgments by the registration thereof in the courts of this Commonwealth, prescribing procedure for the obtaining of jurisdiction over the judgment debtor, the raising of defenses thereto, appeals therefrom, and execution thereon and saving existing methods of enforcing the same.

With the information that the Senate has passed the same without amendment.

#### AMENDED HOUSE BILLS RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 291.

An Act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1301.

An Act to add section one thousand two hundred eight point one to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An Act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in certain civil cases arising out of the same violations, facts or circumstances.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY HOUSE TO HOUSE BILL No. 28

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 28, entitled:

An Act to further amend sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three and four thousand three hundred twenty-four of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating the retirement of firemen on pensions and requiring certain payments to be made to the Firemen's Pension Fund by cities

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 28

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 28, Messrs. Miller, Brice and Yester.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 200.

An Act establishing a State Institution Employees' and Pennsylvania Liquor Control Board Officers' Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by employees of certain Pennsylvania State Institutions and officers of the Pennsylvania Liquor Control Board and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes making an appropriation and providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by inserting after "a" the words "state institution employees and"; page 1, line 6, by inserting after the word "by" the words "employees of certain Pennsylvania state institutions and".

Amend Section 1, page 2, by inserting after line 11, the words "employees of state institutions" shall mean and include all employees of state penal and correctional institutions and state mental hospitals and employees of the prison industries working in state penal institutions"

Amend Section 2, page 4, line 6, by inserting after the figure "2" the words "state institution employees and"; page 4, line 8, by inserting after the word "the" the words "employees of certain state institutions and".

Amend Section 3, page 4, line 12, by striking out after the word "expenses" the word "the" and inserting in lieu thereof the words "as to liquor control board officers' retirement system the"; page 5, line 2, by inserting after the word "commonwealth" the following:

As to the expenses of administration of this act including payment of retirement allowances and other benefits to employees of the state institutions as defined in this act shall be paid by the commonwealth by biennial appropriations out of general funds of the Commonwealth

Amend Section 4, page 5, line 10, by inserting after the word "commonwealth" the words "out of the general funds and."

Amend Section 6, page 6, line 13, by inserting after the word "every" the words "employee of the State institutions enumerated in this act and every"; page 6, line 18, by inserting after the word "an" the words "employee of any state institution as enumerated herein or an";

Amend Section 10, line 10, page 8, by inserting after the word "from" the words "the general fund as to employees of state institutions and from"; page 8, line 12 "as to officers of the liquor control board"; page 9, line 2, by inserting after the word "and general fund"; page 9, line 4, by inserting after the word "and" the words "em-

ployes of the State institutions enumerated in this act".

Amend Section 12, page 10, by inserting on line 4, after the word "officer" the words "or employe"; page 10, line 17, by striking out after the word "board" the word "it" and inserting in lieu thereof the words "or the institution by which employed the liquor control board or the institution"; page 10, line 20, by inserting after the word "officer" the words "or employe".

Amend Section 21, page 17, line 8, by inserting after the word "has" the word "resorted" and striking out the word "restored".

On the question,

Will the House concur in the amendments made by the Senate?

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 200

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate; and that a Committee of Conference be appointed. The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 200, Messrs. Brunner, Ray L. Riley and Rose.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 780.

An Act to further amend sections seven and eighteen of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by changing the definitions of "week" and "day" and by deleting the wartime provisions increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provisions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, line 1, page 1, by inserting after the word "sections" the word "one".

Amend the title, page 2, by inserting after line 3, the following: "changing the definitions of "week" and "day" and by"

Amend Section 1, page 2, line 1, by striking out after the second word "section" the word "seven" and inserting in lieu thereof the word "one".

Amend Section 1, page 3, by inserting after line 2 the following: "Section 1 [Be it enacted &c that the] the term "establishment" when used in this act shall mean

my place within this Commonwealth where work is done for compensation of any sort to whomever payable. The term "person" when used in this act shall be construed to include any individual partnership or other unincorporated association corporation Commonwealth and any political subdivision thereof.

The term "week" when used in this act shall mean seven consecutive days which may begin on any day of a week and which shall begin on the same calendar day each week [and the] the term "day" shall mean any twenty-four consecutive hours [which may begin at any hour of a day].

Section 2 Section seven of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 389) is hereby further amended to read as follows:

Amend the bill, page 4, line 16, by striking out after the word "Section" the figure "2" and inserting in lieu hereof the figure "3".

Amend the bill, page 8, line 1, by striking out after the word "Section" the figure "3" and inserting in lieu thereof the figure "4".

On the question,

Will the House concur in the amendments made by the Senate?

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 780

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 780, Messrs. Herman, Kemp and Evans.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 839.

An Act to amend section twelve of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the reation maintenance and operation of a county employees retirement system in counties of the third class and imposing certain charges on counties" by providing for the right to designate beneficiaries after the time of retirement.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, line 7, by striking out after the word "retirement" the following "regulating retirement benefits of county employees heretofore or hereafter entering the military service and payments by the county into the county employees retirement fund for such employees or to such employees as reimbursement or credit in certain cases."

Amend section 1, page 2, line 1, by striking out after

the figure "1" the word "The" and inserting in lieu thereof the words "Section twelve of the"; lines 5 and 6 by striking out after the word "amended" the words "by adding after section ten thereof a new section".

Amend Section 1, page 2, by striking out after line 6 the following "Section 10.1 Any county employe who on or after the sixteenth day of September one thousand nine hundred forty has been employed by the county for a period of six months and who on or subsequent to such date shall have enlisted or been inducted into the military service of the United States in time of war or national emergency so proclaimed by the President or the Congress of the United States shall have credited to his employment record for retirement benefits all of the time spent by him in such military service during the continuance of such war or national emergency and such payments as were heretofore or shall hereafter be required to be made during such period by such county employe into the county employees' retirement fund shall be paid into such fund by the county any employees who have made payments into the county employees' retirement fund for which payments the county is liable under the provisions of this amendment shall be reimbursed by the county to the full extent of such payments or be given credit towards future payments under this act.

Section 2 Section twelve of said act is hereby amended to read as follows:

On the question,

Will the House concur in the amendments made by the Senate?

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 839

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 839, Messrs. Milliken, Robertson and Snider.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 871.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter off this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated

towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for additional examinations for school bus operators and further regulating safety requirements for school buses the meeting or overtaking of school buses while taking on or discharging school children and the establishment of off the highway loading zones by school districts

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 4, lines 8 and 9 by striking out after the word "buses" the words "and unless he" and inserting in lieu thereof the following: "(2) carries a currently valid school bus operator's certificate issued by the secretary pursuant to such examination"; line 14 by inserting after the part-word "ploved" the following "and (4) carries a currently valid certificate issued by the examining physician indicating that he has passed the prescribed physical examination The provisions of this section shall not apply to operators employed by any person or company subject to the jurisdiction of the Pennsylvania Public Utility Commission".

Amend Section 2, page 7, by inserting after line 2 the following: "(11) The provisions of clause (7) of this section requiring labeling shall apply to all buses when used exclusively for the transportation of school children whether or not the bus is owned and operated by a person or company subject to the jurisdiction of the Pennsylvania Public Utility Commission but none of the other provisions of said clause or of clause (9) of this section shall apply to buses subject to the jurisdiction of the Public Utility Commission

Amend Section 3, page 8, line 17, by inserting after the word "bus" the words "conforming to the requirements of this act";

Amend Section 3, page 9, line 7, by inserting after the word "highway" the following: "(3) Upon a highway when a school bus is stopped on and off the highway loading zone as provided in clause (10) of subsection (b) of section eight hundred twenty-eight of this act".

On the question,

Will the House concur in the amendments made by the Senate?

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 871

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate, and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 871, Messrs. McMillen, Dennison and Wheeler.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1016.

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for the registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the definition of "tractor" and adding the definition "farm tractor" and further providing for the classification of and the annual registration fees for tractors

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 6, line 1 by inserting after the word "husbandry" the following "or used as well-drilling and production equipment"; line 4 by striking out after the word "except" the words "such hauling as is" and inserting in lieu thereof the word "as".

On the question,

Will the House agree to the section?

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 1016

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate, and that a Committee of Conference be appointed. The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 1016, Messrs. Dennison, Johnson and Wheeler.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR NONCONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1048.

An Act to further amend clauses (a), (b), (c) and (d) of section three hundred six, and sections three hundred seven and three hundred nine of the act, approved the second day of June, one thousand nine hundred fifty (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," changing the maximum and minimum rates and the total amounts and aggregate of compensation.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the section 1, page 4, line 7, by inserting after the word "accident", the following "And shall in no case be less than five times his actual daily wage as fixed by the day hour or by the output of the employe and in no instance shall an employe receiving compensation under this section receive more in compensation and wages combined than a fellow employe in similar employment"

Amend section 1, page 10, Line 1, by inserting after the word "refusal" the following: "Whenever an employe shall have suffered the loss of a limb part of a limb or an eye the employer shall furnish to the employe in addition to the aforementioned surgical and medical services medicines and supplies an artificial limb or eye of a type and kind recommended by the doctor attending such employe in connection with such injury"

Amend section 2, Page 17, Line 3, by striking out after the figures, "309" the following: "The public policy of the Commonwealth of Pennsylvania is hereby declared to be that the method of computing wages set forth in this section and the rates to be paid the injured employee or their dependents under sections three hundred six and three hundred seven of this act are just and reasonable Wherever in this article the"

Amend section 2, Page 17, Line 8, by striking out the bracket before the word "the" and after the word "follows"; page 17, line 10, by striking out the bracket before the figure "a"; page 17, line 15, by striking out the bracket after the word "the" and before the word "year"; page 18, line 15, by striking out the bracket after the word "the" and before the word "amount"; page 19, line 15, by striking out the bracket after the word "at" and before the word "one"; Page 20, line 7, by striking out after the word "compensation", the following: "The money rate at which the service rendered is recompensed under the contract of hiring in force at the time of the injury except that if the injured employe was at the time of the injury a minor and his disability shall continue after he shall have reached the age of twenty-one (21) years his average weekly wage for the purpose of determining the compensation payable under this act shall be determined on the basis of the earnings that such minor if not disabled probably would earn at the age of twenty-one (21) years in determining such probable earnings due consideration shall be given to the employe's aptitude education and experience fitting him for any employment not only in the trade or business in which he was engaged at the time of the injury but in any other trade or business in determining such probable earnings the referee and the board shall have the right to receive into evidence as competent testimony the earnings of other employes of similar aptitude education and experience engaged in a similar trade or business and findings based upon such testimony shall be final the term "wages" shall include board and lodging received from the employer whenever the employe receives board and lodging as a part of his wages the board shall be rated at fifty cents per day and board together with lodging shall be rated at one dollar per day for the purpose of computing wages in seasonable occupations the employe's weekly wages shall be taken to the one-fiftieth of the total wages which he has earned from all occupations during the year immediately preceding the injury unless it be shown that during such year by reason of exceptional causes such method of computation does not ascertain fairly the earnings of the employe in which case the period for calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings in continuous employments if immediately prior to the injury the rate of wages was fixed

by the day or hour or by the output of the employe his weekly wages shall be taken to be five and one-half his average earnings at such rate for a working day and using as a basis of calculation his earnings during so much of the preceding six months as he worked for the same employer provided however that if the employe regularly and habitually worked more than five and one-half days per week the weekly wage shall be found by multiplying his average earnings for working day by six and one-half or seven according to the customary number of working days constituting an ordinary week in his occupation or trade where the employe is working under concurrent contracts with two or more employers his wages from all employers shall be considered as if earned from the employer liable for compensation

In cases where the employe has been in the employ of the employer less than one full week and by reason of the shortness of time during which the employe has been in the employment of the employer or the nature of terms of the employment it is impracticable to ascertain the average weekly wages as hereinbefore provided the average weekly amount which during the six months previous to the injury has been earned by other persons employed by the same employer under similar contracts of hiring or if there are no persons so employed by other persons employed by other employers under similar contracts of hiring under similar conditions shall be taken as the basis for the ascertainment of the weekly wages of such employe" and inserting in lieu thereof, the following: "If under clauses (A) (B) (C) (D) and (E) of this section the amount determined is less than if computed as follows this computation shall apply viz divide the total wages earned by the employe during the last two completed calendar quarters with the same employer by the number of days he worked for such employer during such period multiplied by five."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafa,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Glembocki,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clelanding,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Pengase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Deputy,	Jones, J. M.,	Petrosky,	Watkins,

Dougherty,  
Driscoll,  
Duffy,  
Dye,  
Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank.

Jump.  
Kamyk.  
Keller,  
Kemp,  
Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Lelsey,  
Leonard,  
Limper.

Pettigrew.  
Pfaff,  
Polen,  
Posta,  
Powers,  
Price, H. W., Jr.,  
Price, R. A.,  
Propert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Relly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson.

Weidner,  
Weiss,  
Welsh,  
Wescott,  
Westrick,  
Wheeler,  
Williams,  
Wood,  
Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

#### NAYS—0

#### NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGES

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1060.

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by making beryllium poisoning and occupational disease changing the maximum and minimum rates and total amounts and aggregate of compensation extending the time in which disability must occur and further defining conditions for payment.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title page 1, line 1, by striking out after the word "amend" the remainder of lines 1, all of line 2, 3 and 4; page 2, line 11, by inserting after the word "by" the words "making beryllium poisoning an occupational disease;" page 2, line 13, by inserting after the word "compensation" the words "extending the time in which disability must occur and further defining conditions for payment."

Amend Section 1, page 3, line 1, by striking out after the word "section" the words "three hundred one clauses (a) (b) (c) and (f) of section three hundred six and section three hundred seven" and inserting in lieu thereof the words "one hundred eight and section two hundred

four;" page 3, line 17, by inserting after the word "penalties" the words "are hereby amended to read as follows

"Section 108 The term "occupational disease" as used in this act shall mean only the following diseases

(A) Poisoning by arsenic lead mercury [or] manganese or beryllium their preparations or compounds in any occupation involving direct contact with handling thereof or exposure thereto

"Section 204 No agreement composition or release of damages made before the date of any disability or death resulting from occupational disease except the agreement defined in article three of this act shall be valid or shall bar a claim for damages for such disability or death and any such agreement other than that defined in article three herein is declared to be against the public policy of this Commonwealth the receipt of benefits from any association society or fund shall not bar the recovery of damages by action at law nor the recovery of compensation under article three hereof and any release executed in consideration of such benefits shall be void provided however that if the employee receives unemployment compensation benefits such amount or amounts so received shall be credited as against the amount of the award made under the provisions of the occupational disease act

Section 2 Clauses (A) and (C) of section three hundred one clause (A) of which was amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 661) clauses (A) (B) (C) and (F) of section three hundred six and section three hundred seven of said act."

Amend the bill, page 6, by inserting after line 12, the following: "(C) Compensation for the occupational diseases enumerated in this act shall be paid only when such occupational disease is peculiar to the occupation or industry in which the employee was engaged and not common to the general population [and occurring within one year after the date of his last employment in such occupation or industry] whenever compensable disability or death is mentioned as a cause for compensation under this act it shall mean only compensable disability or death resulting from occupational disease and occurring within three years after the date of his last employment in such occupation or industry."

Amend the bill page 9, by inserting after the word "begin" the following: "And shall in no case be less than five times his actual daily wage as fixed by the day hour or by the output of the employee and in no instance shall an employee receiving compensation under this section receive more in compensation and wages combined than fellow employe in similar employment."

Amend page 13, line 5, by inserting after the word "cents" the word "per week."

Amend page 20, line 19, by striking out after the word "section" the number "2" and inserting in lieu thereof the figure "3."

Amend Section 4, page 22, line 8, by striking out after the words "section 309" the following: "The public policy of the Commonwealth of Pennsylvania is hereby declared to be that the method of computing wages set forth in this section and the rates to be paid the disabled employees or their dependents under sections three hundred six and three hundred seven of this act are just and reasonable."

Amend the bill, page 22, line 13, by striking out before the word "the" the bracket and by striking out the bracket after the word "following" on line 14;

Amend the bill, page 22, line 15, by striking out the bracket at the beginning of the line; page 23, line 3, by striking out the bracket at the end of the line; page 2 line 4, by striking out the bracket at the beginning of the line; page 23, line 8, by striking out the bracket at the end of the line; page 23, line 9, by striking out the bracket at the beginning of the line; page 24, line 7, by striking out the bracket at the end of the line; page 24, line 10, by striking out the bracket at the beginning of the line; page 24, line 19, by inserting after the word "a" the words "one dollar;" page 25, line 1, by inserting

before the word "per;" page 25, line 7, by striking out the bracket at the end of the line; page 25, line 8, by striking out the bracket at the beginning of the line; page 25, line 12, by striking out the bracket after the word "compensation"; page 25, line 12 by striking out the following: "the money rate at which the service rendered is recompensed under the contract of hiring in force at the time of the injury except that if the disabled employee was at the time of the disability a minor and his disability shall continue after he shall have reached the age of twenty-one years his average weekly wage for the purpose of determining the compensation payable under this act shall be determined on the basis of the earnings that such minor if not disabled probably would earn at the age of twenty-one years in determining such probable earnings due consideration shall be given to the employee's aptitude education and experience fitting him for any employment not only in the trade or business in which he was engaged at the time of the injury but in any other trade or business in determining such probable earnings the referee and the board shall have the right to receive into evidence as competent testimony the earnings of other employees of similar aptitude education and experience engaged in a similar trade or business and findings based upon such testimony shall be final. The term "wages" shall include board and lodging received from the employer whenever the employee receives board and lodging as a part of his wages the board shall be rated at fifty cents per day and board together with lodging shall be rated at one dollar per day for the purpose of computing wages in seasonable occupations. The employee's weekly wages shall be taken to be one-fiftieth of the total wages which he has earned from all occupations during the year immediately preceding the injury unless it be shown that during such year by reason of exceptional causes such method of computation does not ascertain fairly the earnings of the employee in which case the period for calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings in continuous employment if immediately prior to the injury the rate of wages was fixed by the day or hour or by the output of the employee his weekly wages shall be taken to be five and one-half times his average earnings at such rate for a working day and using as a basis of calculation his earnings during so much of the preceding six months as he worked for the same employer provided however that if the employee regularly and habitually worked more than five and one-half days per week the weekly wage shall be found by multiplying his average earnings for working day by six and one-half or seven according to the customary number of working days constituting an ordinary week in his occupation or trade. Where the employee is working under concurrent contracts with two or more employers his wages from all employers shall be considered as if earned from the employer liable for compensation.

"In cases where the employee has been in the employ of the employer less than one full week and by reason of the shortness of time during which the employee has been in the employment of the employer or the nature or terms of the employment it is impracticable to ascertain the average weekly wages as hereinbefore provided the average weekly amount which during the six months previous to the disability has been earned by other persons employed by the same employer under similar contracts of hiring or if there are no persons so employed by other persons employed by other employers under similar contracts of hiring under similar conditions shall be taken as the basis for the ascertainment of the weekly wages of such employee"

and inserting in lieu thereof the following:

"If under clauses (a) (b) (c) (d) and (e) of this section the amount determined is less than if computed as follows this computation shall apply viz divide the total wages earned by the employee during the last two completed calendar quarters with the same employer by the

number of days he worked for such employer during such period multiplied by five"

Page 30, line 15, by striking out the brackets before and after "(c)."

Page 31, by striking out the figure "4" after the word "section" and inserting in lieu thereof the figure "5;"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altschuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glemboski,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boia,	Greenwood,	Mikula,	Seyler,
Bombberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsach,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglass,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, E. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Laisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

## SENATE BILL No. 456.

An Act to amend section seventeen of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards, imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by temporarily providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 2, line 14 by striking out after the word "fund" the following: "and the liquid fuels tax fund;" line 15 by inserting after the word "reimbursements" the following: "and expenses in connection therewith."

Amend Section 1, page 5, line 12 by inserting after the word "shall" the following: "use or."

Amend Section 1, page 7, lines 11 and 12 by inserting after the word "dollar" the words "and fifty cents (\$1.50); line 13 by inserting after the word "granted" the following: such filing fees are hereby specifically appropriated to the Board of Finance and Revenue and to the Department of Revenue for expenses of any nature whatsoever incurred in the administration of the reimbursement provisions of this act the Board of Finance and Revenue shall have the

Amend Section 1, page 8, by inserting after line 19 on page 7, the following: "power to refer to the Department of Revenue for investigation any claim for reimbursement filed under the provisions of this act and it shall be the duty of the Department of Revenue to investigate such application and report to the Board of Finance and Revenue relative thereto"

Amend Section 1, page 8, line 15 by inserting after the word "funds" the following: "provided however that reimbursement for taxes paid on liquid fuels consumed in the operation of tractors and powered machinery for purposes relating to the actual production of farm products shall be"

Amend Section 1, page 9 by adding after line 19 of page 8, the following: "paid out of the liquid fuels tax fund."

Amend Section 1, page 9, line 1, by striking out "liquid fuels tax fund" and inserting in lieu thereof "motor license fund."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenen,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise.

The majority required by the Constitution having vote in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## RECONSIDERATION OF VOTE ON SENATE BILL NO. 909

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the vote by which Senate Bill No. 909, Printer's No. 58 entitled:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation.

passed finally, be reconsidered.

Mr. BRUNNER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia Mr. Smith vote on the final passage of the bill?

Mr. CHARLES C. SMITH. With the majority, Mr. Speaker.

The SPEAKER. How did the gentleman from Montgomery, Mr. Brunner vote on the final passage of the bill?

Mr. BRUNNER. With the majority, Mr. Speaker. The motion was agreed to.

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the vote by which the House agreed to the bill on third reading be reconsidered.

The motion was agreed to. On the question recurring.

Will the House agree to the bill on third reading?

Mr. CHARLES C. SMITH. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 1, page 1, line 1, by inserting after the word "funds" the following: "in the General Fund."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question, Will the House agree to the amendment? It was agreed to.

On the question, Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 871

The Clerk of the Senate being introduced informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 871, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for additional examinations or school bus operators and further regulating safety requirements for school buses the meeting or overtaking of school buses while taking on or discharging school children and the establishment of off the highway loading zones by school districts.

And has appointed Messrs. Snowden, Donlon and Yosko as a Committee of Conference to confer with a similar committee of the House of Representatives, already appointed on the subject of the differences existing between the two Houses in relation to said bill.

RITTENHOUSE COLLEGE WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House twelve students from Rittenhouse College, Philadelphia, Pennsylvania Area College Centers. They are attending the Intercollegiate Conference on Government being held in Harrisburg, and wish to be recognized by the Chair and be recorded in the Journal.

SENATE MESSAGE

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 367.

An Act to further amend sections four three hundred one the first paragraph of section four hundred two five hundred one five hundred two and six hundred one point one of and to amend section seven hundred two of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by changing and adding certain definitions further regulating eligibility for compensation providing for modification of the manner in which employer contribution rates are determined and under certain conditions for the payment by employers of the costs of appeals.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL NO. 367

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate, and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on Senate Bill No. 367, Messrs. Helm, Kent and Evans.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING

Agreeably to order, The House proceeded to the third reading and consideration of Senate Bill No. 980, as follows:

An Act to amend Sections six eight and nine of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by increasing the amount of the bond to be furnished by an operator and clarifying the provisions requiring a bond and further regulating the furnishing of bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections six eight and nine of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" are hereby amended to read as follows

Section 6 The operator shall file with the Department of Mines a bond on a form to be prescribed and furnished by the department payable to the Commonwealth and conditioned that the operator shall faithfully perform all the requirements of this act The bond shall be in the amount of [two hundred dollars (\$200)] three hundred dollars (\$300) per acre based upon the number of acres of land which the operator estimates will be the area of land affected by strip mining during one (1) year immediately following the date of the permit issued by the department Provided That no bond shall be for an amount less than [two thousand dollars (\$2000)] three thousand dollars (\$3000) Liability under the bond shall be for the duration of strip mining at each operation and for a period of five years thereafter unless released prior thereto in the manner hereinafter provided by this act

Such bond shall be signed by the operator and a corporate surety licensed to do business in the Commonwealth Provided however That in lieu of a surety bond the operator may file a collateral bond secured by cash in the form of a certified or cashier's check or United States Government securities The cash deposited or the par value of such United States Government securities shall be equal to the amount of the required bond and shall be held upon the same terms and conditions

The Secretary of Mines shall upon receipt of any such deposit of cash or securities immediately deposit the same with the State Treasurer whose duty it shall be to receive and hold the same in the name of the Commonwealth for the purpose for which such deposit is made The State Treasurer shall at all times be responsible for the safe-keeping of such deposits

Any operator making such deposit shall be entitled to receive from the State Treasurer on written order of the Secretary of Mines the whole or any portion of any securities so deposited upon depositing with the department in lieu thereof a surety bond or other United States

Government securities of a par value at least equal to the sum required for a bond as aforesaid

The operator shall also be entitled upon request to receive from the State Treasurer the interest or income from said securities deposited as aforesaid as the same become due and payable Provided however That where securities deposited as aforesaid mature or are called the State Treasurer at the request of the operator shall convert such securities into other acceptable securities designated by the operator

Section 8 Within thirty (30) days after the close of the [first year's operation] year for which the permit was issued and likewise after the close of each subsequent [year's operation] year the operator if [his operation is not complete or abandoned] he continues to engage in strip mining shall file with the Department of Mines a new bond covering such new acres as he may estimate will be affected during the following year The bond shall be at the rate of [Two Hundred Dollars (\$200)] three hundred dollars (\$300) per acre [for each acre covered by the previous bond and remaining to be stripped or backfilled] The bond shall not be less than [Two Thousand Dollars (\$2000)] three thousand dollars (\$3000) and shall be accompanied by an annual report upon [forms] a form furnished by the Department [describing the area of] setting forth the number of acres of land affected during the preceding year and the [area number of acres of land that will be affected during the ensuing year [under each permit] at each operation

Provided however That any portion of a bond covering an operation which may remain unencumbered at the end of an operational year may be applied to acres of land which the operator anticipates will be affected during the following year

Section 9 Upon receipt of such annual report the Secretary of Mines shall make an investigation of the operation and shall charge the area of land actually affected by strip mining during the year for which said report is filed against the bond or deposit filed by the operator at the rate of [two hundred dollars (\$200)] three hundred dollars (\$300) per acre of the area of land affected but in no case shall the bond or deposit retained by the Secretary of Mines be less than [two thousand dollars (\$2000)] three thousand dollars (\$3000) Should the area of land actually affected exceed the estimate made by the operator at the time of the application for the permit the operator shall file an additional bond at the rate of [two hundred dollars (\$200)] three hundred dollars (\$300) per acre of the area of land affected over and above his estimate Provided That an additional bond need not be filed where the number of acres of land actually affected multiplied by [two hundred dollars (\$200)] three hundred dollars (\$300) does not exceed the sum of [two thousand dollars (\$2000)] three thousand dollars (\$3000) If the work contemplated by the permit and bond be not completed but the area of land actually affected by strip mining during the year is less than the estimate the Secretary shall issue a release of the excess of the bond or deposit upon which liability has not been charged as aforesaid Provided That in no case shall any bond or deposit be released or reduced to an amount less than [two thousand dollars (\$2000)] three thousand dollars (\$3000)

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,  
Amarando,

Frost,  
Gaffney,

Loftus,  
Lovett,

Rose,  
Rosen,

Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisach,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buccia,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Pengase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, B. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 983, as follows:

An Act to amend the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1198) entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method regulating such mining and providing penalties" by further regulating the mining of bituminous coal by the open pit mining method

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen and eighteen of the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1198) entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bitu-

minous coal by the open pit mining method regulating such mining and providing penalties" are hereby amended to read as follows

Section 3 Definitions The following words and phrases unless a different meaning is plainly required by the context shall have the following meanings

"Open pit mining" shall mean the mining or recovery of bituminous coal by removing the strata or material which overlies or is above the coal deposit or seam in its natural condition

"Pit" shall mean the place where bituminous coal is being mined by the open pit mining method

"Operation" shall mean the pit or pits located upon a single tract of land or a continuous pit embracing or extending upon two or more contiguous tracts of land

"Land" shall mean the surface of the land upon which open pit mining is conducted

"Tract" shall mean a single parcel of land or two or more contiguous parcels of land with common ownership

"Operator" shall mean a person firm corporation or partnership engaged in open pit mining as a principal as distinguished from an agent or independent contractor and who is or becomes the owner of such coal as a result of such mining

"Landowner" shall mean the person firm corporation or partnership or the persons firms corporations or partnerships in whom the legal title to the land is vested

"Overburden" shall mean the strata or material overlying a bituminous coal deposit in its natural state and shall mean such material before or after its removal by open pit mining

"Spoil pile" shall mean the overburden and reject coal as it is piled or deposited in open pit mining

["Area of land affected"] "Land affected" shall mean the [area of] land from which the overburden is removed and that occupied by the spoil piles

Section 5 Before any operator shall hereafter engage in open pit mining of bituminous coal within the Commonwealth he shall register with the Department of Mines of this Commonwealth by filing a certificate on a form to be provided by the department and giving information sufficient to identify the operator and an estimate of the number of acres of [land] coal that the operator [will affect] expects to mine by open pit mining during one year immediately following the date of filing

Contemporaneously with and as a part of said registration the operator shall file with the Department of Mines a bond on a form to be prescribed and furnished by the department payable to the Commonwealth and conditioned that the operator shall faithfully perform all of the requirements of this act The bond shall be in the amount of three hundred dollars (\$300.00) per acre based upon the number of acres of coal which the operator estimates that he will [be stripped] mine by open pit mining during one year immediately thereafter

Provided That no bond shall be filed for less than three thousand dollars (\$3000.00) Liability under such bond shall be for the duration of open pit mining at each operation from which coal has been removed during the respective registration year and for a period of five years thereafter unless released prior thereto [in a manner elsewhere] as hereinafter provided [by this act]

Such bond shall be [signed] executed by the operator and a corporate surety licensed to do business in the Commonwealth

Provided however That the operator may elect to deposit cash or negotiable bonds of the United States Government [securities] or the Commonwealth of Pennsylvania the Pennsylvania Turnpike Commission the General State Authority the State Public School Building Authority or any municipality within the Commonwealth with the department in lieu of [the] a corporate surety [bond hereinafter required]

The cash deposit or [par] market value of such securities shall be equal to the sum [required for all] of the bond [and shall be upon the same terms and conditions]

The Secretary of Mines shall upon receipt of the same with the State Treasurer whose duty it shall

any such deposit of cash or securities immediately place be to receive and hold the same in the name of the Commonwealth in trust for the purposes for which such deposit is made. The State Treasurer shall at all times be responsible for the custody and safekeeping of such deposits. The operator making the deposit shall be entitled from time to time to demand and receive from the State Treasurer on the written order of the [secretary] Secretary of Mines the whole or any portion of any securities so deposited upon depositing with him in lieu thereof other [United States Government] negotiable securities of the classes herein specified having a [par] market value at least equal to the sum [required for all] of the bond [as aforesaid] and also to demand receive and recover the interest and income from said securities as the same becomes due and payable. Provided however That where securities deposited as aforesaid mature or are called the State Treasurer at the request of the operator shall convert such securities into such other [acceptable] negotiable securities of the classes herein specified as may be designated by the operator. Contemporaneous with [and] as a condition precedent to the filing of said Registration certificate [and any renewal thereof] the operator shall pay to the department a filing fee of one hundred dollars (\$100.00). Should the area of coal mined by open pit mining within the registration year exceed the estimate made in the registration certificate the operator shall within thirty (30) days thereafter file an amended registration certificate and additional bond but no filing fee shall be required in connection with the filing of such amendment.

Section 5 Within thirty (30) days after starting the removal of overburden at [and] each operation for the removal of coal by open pit mining the operator shall file an operation report with the Department of Mines on a form to be prescribed and furnished by the secretary giving the following information: (a) Name or number of the operation; (b) Location of the operation as to county and township and with reference to the nearest public road; (c) A description of the tract or tracts by metes and bounds; and (d) The name and address of the landowner or [the name and address of the landowner's] his duly authorized representative.

Section 6 Within six (6) months after the operation is finished or abandoned the operator shall file with the Department of Mines a complete report on a form to be prescribed and furnished by the secretary identifying the operation stating the area of [land affected] coal mined by open pit mining stating whether the operator or other person intends to carry on drift mining upon the premises and [what provision has been] the provisions made therefor. The operator shall attach to the completion report a map of the operation [certified by a registered professional engineer] prepared in a manner satisfactory to the secretary showing the boundary lines of the tract or tracts the access to the operation from the nearest public highway the area of [land affected] coal mined by open pit mining the locations preserved for drift mining and the proposed plans in connection therewith the area of land affected by open pit mining and the work done or proposed to be done in accordance with section ten (10) of this act.

Section 7 If [the] an operation is not completed or abandoned within one year following the date of filing the registration certificate the operator shall within sixty (60) days after the end of said year file with the Department of Mines an annual report on a form to be prescribed and furnished by the secretary identifying [the] each uncompleted operation and stating the area of [land affected] coal mined by open pit mining at the respective operation during the said year and showing the total area of coal mined by the operator within the respective registration year for which completion reports have not been filed.

Section 8 Upon receipt of said completion report or annual report the Secretary of Mines shall charge the

area [affected] of coal mined by open pit mining against the bond [or deposit] filed by the operator at the time of registration at the rate of three hundred dollars (\$300.00) per acre. Should the area actually affected by open pit mining within the year exceed the estimate made at the time of registration the operator shall within thirty (30) days thereafter file an amended certificate and additional bond. If the area [actually affected] of coal mined by open pit mining during the registration year is less than the estimate made by the operator in the registration certificate the secretary shall [issue a] release [of] the surplus of the bond [or deposit] and collateral upon which liability has not been charged as aforesaid.

Section 9 If the operator continues to engage in open pit mining of bituminous coal beyond the period for which [the] a certificate has been filed [a renewal of the certificate shall be filed] the operator shall register with the Department of Mines [together with a bond or deposit in accordance therewith] as hereinbefore provided in the case of the original certificate. Provided however That the operator may with the consent of the Secretary of Mines apply the surplus of the bond filed for the preceding year upon bond requirement for the year for which he is reregistering in lieu of a release of the surplus as provided in section eight (8).

Section 10 Within one year after the operation is completed the operator shall place sufficient overburden or earth not containing reject coal or combustible material in the open cut to cover the exposed face of the unmined coal which shall begin at least three feet above the top of the coal and shall extend to the bottom of the pit at an angle not to exceed forty-five (45) degrees except [high walls] where [strip] open pit mining cuts into active worked out or abandoned deep mine workings [in which case] the angle shall not exceed forty-five (45) degrees from the top of [such] the high wall to the bottom thereof and the peaks and ridges of spoilbanks shall be leveled and rounded off to such an extent as will permit the planting of trees grasses or shrubs [and reject coal and combustible material shall not be used on the high wall bank]. Provided however That if the operator or other person desires to conduct drift mining upon the premises [he] the operator may designate drift locations at which place it will not be necessary to so place overburden over the face of the coal. Such drift locations shall be described in the completion report and designated on the map attached thereto. Provided also That if the operator desires to use the open cut as a haulageway for the removal of coal from other operations [he may with the consent of] the Secretary of Mines may postpone the covering of the exposed face of the unmined coal for the duration of such use.

Section 11 Within [one year] three years after the [open pit mining operations on the premises are terminated] operation is completed or abandoned the operator shall plant trees shrubs or grasses upon the [lands] land affected by open pit mining [and]. Provided however That the operator shall be relieved from the obligation to plant trees shrubs or grasses required by this section if the Secretary of Forests and Waters shall find as a fact that such planting is not reasonable practicable [and] or likely to succeed or if the Secretary of Forests and Waters upon application by the land owner approves the use of the land for a purpose other than the growing of trees shrubs or grasses or if the operator in lieu of planting trees shrubs or grasses shall pay to the Secretary of Forests and Waters sixty dollars (\$60.00) per acre of land affected by open pit mining. Funds received by the Secretary in lieu of such planting shall be paid by him into the Bituminous Coal Open Pit Mining Reclamation Fund and used by him as hereinafter prescribed for the use of funds derived from the forfeiture of bonds. When deemed necessary the [secretary] Secretary of Forests and Waters may extend the period for planting trees shrubs or grasses beyond the limitations of the period of time provided in this act. Such planting shall

be done in accordance with a plan or procedure prescribed by the Secretary of Forests and Waters. The trees shrubs or grasses shall become the property of the landowner unless the operator and the landowner agree otherwise. The operator [may secure the] shall plant only seeds plants or seedlings secured from [any] a source approved by the Secretary of Forests and Waters.

Section 12 When the planting is completed the operator shall file a planting report with the Secretary of Forests and Waters on a form to be prescribed and furnished by the secretary giving the following information (a) Identification of the operation (b) The type of planting (c) The date of planting and (d) The area of land planted and (e) Such other relevant information as the secretary may require. The Secretary of Forests and Waters shall inspect the premises either in person or by his duly authorized representatives within one (1) year after the planting report is filed. If the secretary finds that the planting has been done in a workmanlike manner and that the area reported has been planted in accordance with the prescribed plan or procedure or if the operator has been relieved from the obligation to plant trees shrubs or grasses as hereinabove provided the secretary shall certify such performance or relief from the obligation to plant trees shrubs or grasses to the Department of Mines and the Secretary of Mines shall [issue a] release [of] the bond [or of the cash or securities deposited] and collateral in proportion to the area [planted] certified by the Secretary of Forests and Waters. Upon [the presentation of] such release the State Treasurer shall immediately return to the operator the amount of cash or securities specified [in its release] therein.

Section 13 The operator may for reasonable cause and with the consent and approval of the Secretary of Forests and Waters plant a similar area of land previously affected by open pit mining by himself or any other operator in lieu of planting the particular land covered by the bond and thereby be released from liability under the bond [or deposit] accordingly.

Section 14 If upon inspection the Secretary of Forests and Waters does not approve the planting he shall notify the operator in writing setting forth [the objections and] his reasons therefor. The operator may then take such steps as are required to remove the objections. Any operator or landowner [notwithstanding the operator may have registered as required by section four of this act] who shall be aggrieved by any [requirement of this act or any] administrative regulation directive or order of the Secretary of Mines or of the Secretary of Forests and Waters or any other administrative agency making application of the provisions of this act [shall have the right to] may file a petition in the court of common pleas of the county where the land is located alleging therein the action complained of and praying for remedy thereof and the said court shall proceed therein by rule or rules upon the proper administrative officer body or authority to show cause why the petitioner should not have the remedy prayed for by his her or its petition. The court in such proceedings shall make such procedural orders as may be necessary for facilitating and expediting hearings and disposition of the matters complained of. From the decision of the said court of common pleas an appeal may be taken by either party to the Superior or Supreme Court of Pennsylvania as in other causes. Every such petition shall specify the petitioner's objection to the action of the administrative officer body or authority and such officer body or authority on or before the return day of the rule shall make answer thereto and certify to the said court of common pleas the record of the proceedings to which the petition refers. Such record shall include the testimony taken therein the findings of fact if any of the officer body or authority based upon such testimony and a copy of all decisions and orders made by the said officer in the proceedings. The case shall be heard [upon the record certified to] by the court [as aforesaid] de novo [No additional testimony].

Testimony shall be taken before the court but the court may in proper cases remit the record to the respondent for the taking of further testimony [and from the record the] The court may review modify or affirm or make new findings of fact as well as decide the law applicable.

Section 15 If the operator fails or refuses to comply with the requirements of the act in any respect for which liability has been charged on the bond the Secretary of Mines shall declare such portion of the bond forfeited and shall certify the same to the Department of Justice which shall proceed to [sue out] enforce and collect the amount of liability forfeited thereon and where the operator [had] has deposited cash or securities as collateral in lieu of [bond] a corporate surety the Secretary of Mines shall declare such portion of said [deposit] collateral forfeited and shall direct the State Treasurer to pay said funds into the Bituminous Coal Open Pit Mining Reclamation Fund or to proceed to sell said securities to the extent forfeited and pay the proceeds thereof into the Bituminous Coal Open Pit Mining Reclamation Fund. Any operator aggrieved by reason of forfeiting the bond or [selling securities] converting collateral as herein provided [shall have a right to contest such action] and appeal as provided in section fourteen of this act.

Section 18 All funds received by the Secretary of Mines from registration fees and from forfeiture of bonds and of cash deposits and securities shall be held by the State Treasurer in a special fund separate and apart from all other moneys in the State Treasury to be known as the "Bituminous Coal Open Pit Mining Reclamation Fund" and shall be used by the Secretary of Forests and Waters for the sole purpose of foresting or reclaiming land affected by open pit mining of bituminous coal and for such purposes are hereby specifically appropriated to the Department of Forests and Waters. Funds received from the forfeiture of bonds [and cash deposited in lieu of bonds] shall be expended by the Secretary of Forests and Waters upon lands situated in the county in which the operation upon which liability was charged on the bond is located [and the money in said fund to be spent at the discretion of the Secretary of Forests and Waters for back-filling or planting].

Section 2 Said act is hereby amended by adding immediately following section eighteen a new section reading as follows:

Section 18.1 Where one operator succeeds another at any uncompleted operation either by sale assignment lease or otherwise the Secretary of Mines release the first operator from all liability under this act as to that particular operation. Provided however That both operators have registered and have otherwise complied with the requirements of this act and the successor operator assumes as part of his obligation under this act all liability for grading planting and covering the face of unmined coal on the area mined by the former operator.

Section 3 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,  
Amarando,  
Andrews,  
Bane,  
Barkdoll,  
Baumunk,  
Beaver,  
Bednarek,  
Blair,

Frost,  
Gaffney,  
Gallagher,  
George,  
Gibson,  
Glembocki,  
Good,  
Goodling,  
Graybill,

Loftus,  
Lovett,  
Madigan,  
McCormack,  
McCullough,  
McGee,  
McKinney,  
McMillen,  
McNally,

Rose,  
Rosen,  
Rovanssek,  
Royer,  
Sarraf,  
Sax,  
Scanlon,  
Schmidt,  
Schuster,

Bloom,  
Boles,  
Bomberger,  
Boorse,  
Bower,  
Brandon,  
Brelsach,  
Breth,  
Brice,  
Brown, H. S.,  
Brown, W. M.,  
Brunner,  
Bucchin,  
Cadwalader,  
Clapper,  
Clendenning,  
Cochran,  
Cole,  
Coleman,  
Conway,  
Cooper,  
Costa,  
Dalrymple,  
DeLong,  
Dennison,  
Deputy,  
Dougherty,  
Driscoll,  
Duffy,  
Dye,  
Elder,  
Erbe,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank,

Green,  
Greenwood,  
Greer,  
Guarnieri,  
Guthrie,  
Hagerty,  
Hall,  
Hamilton,  
Harney,  
Harris,  
Haudenshield,  
Heatherington,  
Helm,  
Herman,  
Hersch,  
Hewitt,  
Hocker,  
Hoffman,  
Hoggard,  
Hunter,  
Jenkins,  
Jennings,  
Jim,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jump,  
Kamyk,  
Keller,  
Kemp,  
Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Leisey,  
Leonard,  
Limper,

Mihm,  
Mikula,  
Miller,  
Milliken,  
Mills,  
Mintess,  
Monroe,  
Moore, C. E.,  
Moore, H. A.,  
Moran,  
Munley,  
Murray,  
Musto,  
Nagel,  
Najaka,  
Needham,  
Neff,  
Nixon,  
O'Dare,  
O'Donnell,  
Olsen,  
Orban,  
Penglase,  
Pentrack,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Polen,  
Posta,  
Powers,  
Price, H. W., Jr.,  
Price, R. A.,  
Propert,  
Readinger,  
Reagan,  
Reese,  
Reldensbach,  
Relly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Scott,  
Seyler,  
Shoemaker,  
Smith, C. O.,  
Smith, W. B.,  
Snider,  
Sollenberger,  
Spencer,  
Stank,  
Sternberg,  
Stimmel,  
Stuart,  
Swope,  
Tabl,  
Taylor,  
Thompson,  
Tompkins,  
Toomey,  
Varallo,  
Varner,  
Verona,  
Wachhaus,  
Wagner,  
Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Weiss,  
Welsh,  
Wescott,  
Westrick,  
Wheeler,  
Williams,  
Wood,  
Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for fifteen minutes. The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

## MOOSIC HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome students from the Moosic High School, Lackawanna County.

## SENATE MESSAGES

## SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

## SENATE BILL No. 557.

An Act to prohibit the killing of red foxes by certain methods in Chester County and imposing penalties.

Referred to the Committee on Game and Forestry.

## AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendment made by the House of Representatives to Senate Bill numbered and entitled as follows:

## SENATE BILL No. 105.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers College abolishing creating reorganizing or authorizing the reorganization of certain administrative departments board and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments board commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain department boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain department boards and commissions shall be determined" by changing the salaries of certain officers of the Commonwealth.

## APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 105

Mr. BRUNNER. Mr. Speaker, I move that the House insist on its amendments nonconcurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on Senate Bill No. 105, Messrs. Brunner, Charles C. Smith and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGES

## APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 105

The Clerk of the Senate being introduced informed that the Senate insist on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 105, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers College abolishing creating reorganizing or authorizing the reorganization of certain administrative departments board and commissions defining the powers and duties of the

Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain department boards and commissions shall be determined" by changing the salaries of certain officers of the Commonwealth.

And has appointed Messrs. Kephart, Mallery and Rosenfeld, a committee of conference to confer with a similar committee of the House of Representatives, if the House of Representatives shall appoint such committee, on the subject of the differences existing between the two Houses in relation to said bill.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 668.

An Act to amend section two and three of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their officers and repealing all acts or parts of acts inconsistent therewith" by authorizing direct purchases in certain cases.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment. The Clerk read the amendment as follows:

Amend Section 3, page 3, line 14, by inserting after the word "house," the following: "With the approval of the speaker or president pro tempore thereof."

Mr. McKINNEY. Mr. Speaker, I request that the House concur in the amendment made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

- |               |                |               |
|---------------|----------------|---------------|
| Altshuler,    | Frost,         | Loftus,       |
| Amarando,     | Gaffney,       | Lovett,       |
| Andrews,      | Gallagher,     | Madigan,      |
| Bane,         | George,        | McCormack,    |
| Barkdoll,     | Gibson,        | McCullough,   |
| Baumunk,      | Glembockl,     | McGee,        |
| Beaver,       | Good,          | McKinney,     |
| Bednarek,     | Goodling,      | McMillen,     |
| Blair,        | Graybill,      | McNally,      |
| Bloom,        | Green,         | Mihm,         |
| Boles,        | Greenwood,     | Mikula,       |
| Bomberger,    | Greer,         | Miller,       |
| Boorse,       | Guarnieri,     | Milliken,     |
| Bower,        | Guthrie,       | Mills,        |
| Brandon,      | Hagerty,       | Mintess,      |
| Brelsch,      | Hall,          | Monroe,       |
| Breth,        | Hamilton,      | Moore, C. E., |
| Brice,        | Harney,        | Moore, H. A., |
| Brown, H. S., | Harris,        | Moran,        |
| Brown, W. H., | Haudenshield,  | Munley,       |
| Brunner,      | Heatherington, | Murray,       |
| Bucchin,      | Helm,          | Musto,        |
| Cadwalader,   | Herman,        | Nagel,        |

- |             |               |                    |             |
|-------------|---------------|--------------------|-------------|
| Clapper,    | Hersch,       | Najaka,            | Taylor,     |
| Clendening, | Hewitt,       | Needham,           | Thompson,   |
| Cochran,    | Hocker,       | Neff,              | Tompkins,   |
| Cole,       | Hoffman,      | Nixon,             | Toomey,     |
| Coleman,    | Hoggard,      | O'Dare,            | Varallo,    |
| Conway,     | Hunter,       | O'Donnell,         | Varner,     |
| Cooper,     | Jenkins,      | Olsen,             | Verona,     |
| Costa,      | Jennings,     | Orban,             | Wachhaus,   |
| Dalrymple,  | Jim,          | Penglase,          | Wagner,     |
| DeLong,     | Johnson,      | Pentrack,          | Wargo,      |
| Dennison,   | Jones, G. H., | Peta,              | Waterhouse, |
| Depuy,      | Jones, J. M., | Petroaky,          | Watkins,    |
| Dougherty,  | Jump,         | Pettigrew,         | Weldner,    |
| Driscoll,   | Kamyk,        | Pfaff,             | Weiss,      |
| Duffy,      | Keller,       | Polen,             | Welsh,      |
| Dye,        | Kemp,         | Posta,             | Wescott,    |
| Elder,      | Kent,         | Powers,            | Westrick,   |
| Erb,        | Kirley,       | Price, H. W., Jr., | Wheeler,    |
| Evans,      | Kline,        | Price, R. A.,      | Williams,   |
| Ewing,      | Kohl,         | Proper,            | Wood,       |
| Felton,     | Kolankiewicz, | Readinger,         | Worley,     |
| Ferster,    | Kondrath,     | Reagan,            | Yaffe,      |
| Filo,       | Kratz,        | Reese,             | Yeakel,     |
| Firmstone,  | Kurtz,        | Reidenbach,        | Yester,     |
| Flack,      | Lederer,      | Relly, J. M.,      | Yetzer,     |
| Fleming,    | Lee,          | Reynolds,          | Young,      |
| Floyd,      | Leisey,       | Riley, R. L.,      | Ziegler,    |
| Fox,        | Leonard,      | Robbins,           | Sorg,       |
| Frank,      | Limper,       | Robertson,         | Speaker     |

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 879.

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by redefining "regulation" changing provisions governing promulgation of regulations imposing duties on the Department of State extending the grounds for refusing to affirm adjudications of agencies requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 2, by inserting after the word "state" the words "further providing for appeals to the Dauphin County Court."

Amend section 6, page 6, line 3, by inserting after the word "sections" the words "forty-one," page 6, line 4, by inserting after the end of the line the following: "Section 41 Appeals Any interested person may file a complaint in equity in the court of common pleas of Dauphin county to determine the legality or constitutionality of any regulation within thirty days after the service of an adjudication (or if a petition for rehearing or reconsideration is filed pursuant to statutory authority then within thirty days after service of the order of the agency re-

fusing such petition or of the order following rehearing or reconsideration) any person aggrieved thereby who has a direct interest in such adjudication shall have the right to appeal therefrom. Such appeal shall be taken to the court of common pleas of Dauphin county. Parties interested jointly severally or."

Page 7, line 19, by inserting after the word "on" the words "a complaint in equity or."

Amend Section 6, page 8, line 13, by striking out the bracket at the end of line 13; page 8, line 13, by inserting after line 13 the following: "(B) Sections forty-one to forty-five inclusive of this act shall not apply to adjudications of the Banking Board or of the Building and Loan Board

"(C) This act shall not apply to actions of the Secretary of Banking in the taking possession and liquidation of banking institutions and building and loan associations or to actions of the Insurance Commissioner in the taking possession and liquidation of insurance companies.]"

Page 9, line 5, by striking out after line 5, the following: "Section 51 (a) Except as hereinafter provided in clause (d) the provisions of sections twenty-one and twenty-two shall apply to all agencies of the Commonwealth

"(b) Section forty-one to forty-five inclusive of this act shall not apply to adjudications of the Banking Board or of the Building and Loan Board or of the Board of Arbitration of claims nor to adjudications of those agencies not enumerated in clause (c) of this section unless any such agency has been made subject to the provisions of this act by any other act of assembly," and inserting in lieu thereof the following: "Section 51 (A) None of the provisions of this act shall apply to actions of the Secretary of Banking in the taking possession and liquidation of banking institutions and building and loan associations or to actions of the Insurance Commissioner in the taking possession and liquidation of insurance companies nor to the Milk Control Commission or the Pennsylvania Public Utility Commission.

"(B) Sections twenty-one and twenty-two of this act shall apply to all agencies of the Commonwealth except as provided in subsection (A) of this section.

"(C) Sections twenty-one and twenty-two and thirty-one to thirty-five inclusive of this act shall apply to the Banking Board the Building and Loan Board the Board of Arbitration of Claims and except as provided in subsection (A) of this section to agencies whose adjudications are final under the provisions of any law."

Amend the bill, page 10, line 16, by striking out the "(c)" and inserting in lieu thereof the "(d)"; page 11, line 12, by inserting after the "(21)" the following: "state board of private academic schools (22) state board of private correspondence schools (23) state board of private trade schools;" line 15, by striking out "(22)" and inserting in lieu thereof the "(25)"; page 11, line 16, by striking out after the word "commission" the "(23)" and inserting in lieu thereof the "(26)"; page 11, line 17, by striking out "(24)" and inserting in lieu thereof the "(27)"; page 11, line 17, by striking out after the word "commission" the "(2)" and inserting in lieu thereof "(28)"; page 11, line 18, by striking out the "(26)" and inserting in lieu thereof "(29)"; page 11, line 19, by striking out after the word "mines" the "(27)" and inserting in lieu thereof "(30)"; page 12, line 1, by striking out after the word "commission" the "(28)" and inserting in lieu thereof "(31)"; page 12, line 1, by striking out after the word "commission" "(29)" and inserting in lieu thereof "(32)"; page 12, line 2, by striking out after the word "board" the "(30)" and inserting in lieu thereof "(33)"; page 12, line 2, by striking out after the word "undertakers" the "(31)" and inserting in lieu thereof "(34)"; page 12, line 3, by striking out after the word "board" the "(32)" and inserting in lieu thereof "(35)"; page 12, beginning of line, by striking out "(33)" and inserting in lieu thereof "(36)"; page 12, line 4, by striking out after the word "rehabilitation" the "(34)" and inserting in lieu thereof "(37)"; page 12, line 5, by striking out after the

word "commission" "(35)" and inserting in lieu thereof "(38)"; page 12, line 5, by striking out after the words "athletic Commission" the "(36)" and inserting in lieu thereof "(39)"; page 12, line 6, by striking out after the word "assistance" the "(37)" and inserting in lieu thereof "(40)"; page 12, line 7, by striking out the "(38)" and inserting in lieu thereof the "(41)"; page 12, line 7, by striking out after the words "planning Board" the "(39)" and inserting in lieu thereof "(42)"; page 12, line 8, by striking out after the word "mission" the "(40)" and inserting in lieu thereof "(43)"; page 12, line 8, inserting after the word "equalization Board" the following: "(44) Unemployment Compensation Board of Review and to any other agency which has been made subject to the provisions of this act by any other act of assembly.

Page 12, by striking out all of lines 13, 14, 15, 16, and 17.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Breisch,	Hagerty,	Mintess,	Snider,
Breth,	Hall,	Monroe,	Sollenberger,
Brice,	Hamilton,	Moore, C. E.,	Sorg,
Brown, H. S.,	Harney,	Moore, H. A.,	Spencer,
Brown, W. E.,	Harris,	Moran,	Stank,
Brunner,	Haudenshield,	Munley,	Sternberg,
Bucchin,	Heatherington,	Murray,	Stimmel,
Cadwalader,	Helm,	Musto,	Stuart,
Clapper,	Herman,	Nagel,	Swope,
Clendening,	Hersch,	Najaka,	Tahl,
Cochran,	Hewitt,	Needham,	Taylor,
Cole,	Hocker,	Neff,	Thompson,
Coleman,	Hoffman,	Nixon,	Tompkins,
Conway,	Hoggard,	O'Dare,	Toomey,
Cooper,	Hunter,	O'Donnell,	Varallo,
Costa,	Jenkins,	Olsen,	Verner,
Dalrymple,	Jennings,	Orban,	Verona,
DeLong,	Jim,	Penglase,	Wachhaus,
Dennison,	Johnson,	Penrack,	Wagner,
Depuy,	Jones, G. E.,	Peta,	Wargo,
Dougherty,	Jones, J. M.,	Petrosky,	Waterhouse,
Driscoll,	Jump,	Pettigrew,	Watkins,
Duffy,	Kamyk,	Pfaff,	Weidner,
Dye,	Keller,	Polen,	Weiss,
Elder,	Kemp,	Posta,	Welsh,
Erb,	Kent,	Powers,	Wescott,
Evans,	Kirley,	Price, H. W., Jr.,	Westrick,
Ewing,	Kline,	Price, R. A.,	Wheeler,
Felton,	Kohl,	Probert,	Williams,
Ferster,	Kolankiewicz,	Readinger,	Wood,
Filo,	Kondrath,	Reagan,	Worley,
Firmstone,	Kratz,	Reese,	Yaffe,
Flack,	Kurtz,	Reidenbach,	Yeakel,
Fleming,	Lederer,	Reilly, J. M.,	Yester,
Floyd,	Lee,	Reynolds,	Yetzer,
Fox,	Lelsey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
	Limper,	Robertson,	Speaker

#### NAYS—1

Brandon,

#### NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILLS RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 663.

An Act authorizing the compromise and arbitration of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the Table of Contents, page 2, line 13, by inserting after Section 15, the following, "Section 16 Repealer"; page 2, line 14, by striking out after the word "section:" the figure "16."

Amend Section 1, page 4, line 2, by inserting after the word "agreement" the following: "such agreement shall finally and conclusively fix and determine the amount of tax payable to this state without regard to any other provision of the laws of this state"; page 4, line 10, by inserting after the word "penalties" the following: "in the event the aggregate amount payable under such agreement to the states involved is less than the maximum credit allowable to the estate against the United States estate tax imposed with respect thereto the personal representatives forthwith shall also pay to the department so much of the difference between such aggregate amount and the amount of such credit as the amount payable to the department under the agreement bears to such aggregate amount a copy of any such agreement shall be filed in the office of the proper register of wills and any existing appraisal shall be deemed modified according to said agreement in the event no appraisal has been made and filed prior to said agreement the Department of Revenue shall direct an appraisal to be made and filed in the office of the proper Register of Wills in accordance with said agreement"

Amend section 15, page 8, line 17, by striking out after the word "to" the word "states," and inserting in lieu thereof the word "estates."

Amend section 16, page 8, by inserting after line 18, the following: "Section 16 Repealer The act approved the 15th day of August one thousand nine hundred forty-one (P. L. 815) entitled 'An act to add section forty-three to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and imposing certain acts for repeal authorizing compromise of tax claims in cases where there is a dispute as to the domicile of the decedent' is hereby repealed"

Amend page 10, line 4, by striking out after the word "section" the figure "16."

On the question,  
Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altschuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Posta,	Welsh,
Dye,	Kemp,	Polen,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evens,	Kline,	Price, R. A.,	Williams,
Swing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Ledderer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 688.

An Act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of

June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" establishing one procedure for changing altering or establishing the width lines locations or grades of State highways in townships and boroughs and incorporated towns

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendment the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 2, page 5, line 7, by striking out after the word "the" the word "location".

On the question,

Will the House concur in the amendment made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendment made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek.
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sax,
Baumunk,	Glembocki,	McGee,	Sarrafi,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bombberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsach,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglass,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Petrosky,	Waterhouse,
Depuy,	Johnson,	Pettigrew,	Watkins,
Dougherty,	Jump,	Peta,	Wedner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yester,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yetszer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,	Leisey,	Robertson,	

Speaker.

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL NO. 105

Mr. BRUNNER. Mr. Speaker, I present the report of the Conference on Senate Bill No. 105.

The report was read by the Clerk.

The SPEAKER. This being a Senate Bill, the report will be noted in the Journal, and will be printed by the Senate.

## SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CON-  
CURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 394.

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the fiscal year and the dates for meetings budgets taxation audits and reports changing the compensation of supervisors and auditors increasing compensation for attending conventions of county associations changing permissible payments to secretaries of county associations and payments of dues by townships to State associations and the expense allowance of delegates providing for appointment of policemen authorizing police pension annuities to widen deepen and embank water course to employ township managers and certified public accountants to regulate the election of supervisors in certain cases providing for the levy of taxes for fire protection services changing the definition of volunteer firemen for workmen's compensation insurance purposes the method of advertising for bids the limitation on taxes for fire hydrant purposes the requirements for street and road improvements and the vote of supervisors required for zoning changes and clarifying and revising certain provisions of said act.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 7, by striking out after the word "auditors" the word and; and inserting in lieu thereof the following: "Increasing compensation for attending conventions of county associations changing".

Amend section 1, page 3, line 18, by striking out after the word "therein" the word of, and inserting in lieu thereof the word "or".

Amend section 7, page 15, line 17, by inserting after line 16, the following: "Section 602 Who to attend compensation and mileage the supervisors or townships auditors assessors tax collectors and the secretary of the Board of Township Supervisors when not a member of the Board shall attend such conventions whenever possible each township supervisor auditor assessor tax collector and secretary attending such convention shall receive a certificate signed by the presiding officer and acting secretary of the convention attesting his presence at the

convention such certificate shall entitle him to collect from the township treasurer the sum of [five] six dollars per day for each day's attendance and mileage at the rate of four cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held no township supervisor auditor assessor tax collector or secretary shall be paid for more than one day's attendance in any one year."

Amend section 7, page 17, line 17, by striking out the brackets after the word "exceed"; and striking out the word "twenty five" before the word "dollars".

On the question,

Will the House concur on the amendments made by the Senate?

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 394

Mr. WOOD. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 394, Messrs. Wood, Robertson and Swope.

Ordered, That the Clerk inform the Senate accordingly.

#### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

##### HOUSE BILL No. 291.

An Act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties

##### HOUSE BILL No. 399.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing the change of the fiscal year by districts of the second class

##### HOUSE BILL No. 478.

An Act to further amend section one thousand four hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of account and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and

corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" further defining the right of the Department of Revenue to release liens for taxes interests penalties and other accounts due the Commonwealth

##### HOUSE BILL No. 536.

An Act to add section two thousand five hundred eleven point one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for annual payments for the Commonwealth to school districts erecting or sharing in the erection of a building or buildings or providing educational facilities under provisions of the State Public School Building Authority Act and making an appropriation

##### HOUSE BILL No. 628.

An Act to amend section four hundred seventeen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by excluding from the definition "road-side menagerie" any animal exhibition at a county fair or any such exhibition when sponsored by any sportsmen's organization with the approval of the Pennsylvania Game Commission.

##### HOUSE BILL No. 665.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the furnishing of free transportation or board and lodging in certain boroughs and reimbursement by the Commonwealth therefor and validating Commonwealth reimbursements heretofore made

##### HOUSE BILL No. 809.

An Act to amend section one of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by exempting from the provisions of said act explosives stored and used in connection with coal mines and coal mining operations

##### HOUSE BILL No. 814.

An Act fixing the fees and mileage of the coroner in counties of the sixth class

##### HOUSE BILL No. 926.

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payments to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by regulating service for pensions and eligibility for pensions.

## HOUSE BILL No. 980.

An Act to amend sections two and thirteen of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" by changing license fee provisions providing for payment of fees and fines to the various municipalities and empowering burgesses to try violators

## HOUSE BILL No. 1047.

An Act providing for the enforcement of foreign judgments by the registration thereof in the courts of this Commonwealth, prescribing procedure for the obtaining of jurisdiction over the judgment debtor, the raising of defenses thereto, appeals therefrom, and execution thereon and saving existing methods of enforcing the same.

## HOUSE BILL No. 1048.

An Act to further amend clauses (a) (b) (c) and (f) of section three hundred six and sections three hundred seven and three hundred nine of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by changing the maximum and minimum rates and the total amounts and aggregate of compensation

## HOUSE BILL No. 1060.

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by making beryllium poisoning an occupational disease changing the maximum and minimum rates and total amounts and aggregate of compensation extending the time in which disability must occur and further defining conditions for payment

## HOUSE BILL No. 1301.

An Act to add section one thousand two hundred eight point one to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks there-

of, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations, facts or circumstances.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGES

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1052.

An Act merging and consolidating State housing with State planning merging the State Board of Housing with the State Planning Board establishing a State Planning Code and repealing certain acts

## HOUSE BILL No. 1053.

An Act to amend the title and further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwellings accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" by extending the act to all cities changing the scope of the field of operation of a county authority providing for the use of State grant or contributions towards payment of bonds and interest and as additional pledge therefor and transferring the administration of the act from the State Board of Housing to the State Planning Board.

## HOUSE BILL No. 1054.

An Act to amend the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound re-planning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and con-

tract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and or other obligations and giving security therefor restricting the interest of members and employees of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by substituting the State Planning Board for the State Board of Housing.

#### HOUSE BILL No. 1056.

An Act to amend the title and sections three fourteen and twenty-one of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 704) entitled "An act to promote the public health safety morals and welfare by providing for the creation of corporations to be known as limited dividend housing companies for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to be let at reasonable rentals or sold providing for the acquisition of property by the exercise of the power of eminent domain through the State Board of Housing providing for the supervision and regulation of the activities of such companies by the State Board of Housing in the Department of Health and regulating the supervision by the State board of any such companies aided by the Federal Government or agencies thereof defining the rights powers and duties of such companies and of persons investing in or dealing with such companies authorizing such companies to lease and operate or to manage projects of any housing authority and borrow money from agencies of the United States Government exempting all such companies from the payment of any capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions authorizing certain existing companies to accept the provisions of this act and repealing inconsistent acts" by transferring supervision and regulation of such companies to the State Planning Board

#### HOUSE BILL No. 1057.

An Act to amend sections three and four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-seven (P. L. 888) entitled "An act to authorize cities boroughs towns townships counties and other public bodies to aid housing projects of housing authorities or of the United States of America by furnishing parks playgrounds streets and other improvements and facilities by exercising certain other powers and by making agreements relating to such aid to authorize cities boroughs towns townships and counties to contract with respect to the sums to be paid them for improvements services and facilities to be provided for the benefit of housing projects and the occupants thereof to authorize certain cities and counties to make an appropriation for the first years' administrative expenses of housing authorities and to authorize certain cities boroughs towns and counties to pay moneys to housing authorities" by removing any ambiguity as to the powers of a State public body with respect to long term agreements and changing definition of term "Housing Project"

#### HOUSE BILL No. 1058.

An Act to amend sections four and six of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 982) entitled "An act to author-

ize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties" by removing any ambiguity as to the powers of a State public body with respect to long term agreements and permitting State public bodies to issue bonds to provide funds for local contributions required by Federal law

#### HOUSE BILL No. 1059.

An Act to further amend section four hundred fifty-one and to amend section two thousand five hundred two B of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by reconstituting the State Planning Board and changing its functions

#### HOUSE BILL No. 1062.

An Act to further amend section two thousand seven hundred eighteen of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing boroughs to make appropriations from the general borough funds for recreation purposes.

#### HOUSE BILL No. 1173.

An Act to amend sections six and twelve of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" authorizing the transfer from the one one-hundred-twentieth (1/120) to the one one-hundredth (1/100) class of members contributions at the option of the retirement board and adjusting the county annuity that on superannuation retirement upon such transfers.

#### HOUSE BILL No. 1174.

An Act to amend section five and to further amend section eleven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" authorizing the transfer from the one one-hundred-twentieth (1/120) to the one one-hundredth (1/100) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement upon such transfers.

## HOUSE BILL No. 1222.

An Act to further amend section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by granting per diem and other legislative employees now State employees credit for such legislative service

## HOUSE BILL No. 1260.

An Act authorizing cities of the first class to adopt and enforce ordinances relating to health and sanitary conditions of leased dwellings to create Dwelling Inspection Boards in the Department of Public Health in such cities to require tenancy permits to be issued and to provide penalties for violations thereof

## HOUSE BILL No. 1292.

An Act to further amend subsection (a) of section two hundred nineteen of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commission and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further providing for the determination of persons of low income by nonprofit medical service corporations

## HOUSE BILL No. 1329

An Act making an appropriation to the Department of Property and Supplies for the purpose of acquiring by gift or purchase on behalf of the Commonwealth the Codorus Forge and Furnace in Hellam Township York County

## HOUSE BILL No. 1330.

An Act to amend section one of the act approved the twenty-fourth day of March one thousand nine hundred forty-nine and designated as Act No. 24 (P. L. ) entitled "An act to reenact and further amend the title and the act approved the fourteenth day of May one thousand nine hundred forty-seven (P. L. 249) entitled as amended 'An act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared used sold transported or delivered within the Commonwealth and by others requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the

method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks and providing penalties' by further regulating the procedure and the jurisdiction of the Department of Revenue and of the Board of Finance and Revenue relative to claims for refunds and by extending the provisions thereof for further limited period of time" by inserting the words carbonated waters in and further clarifying the definition of syrups and bottled soft drinks and by extending the period of time during which the department may advance tax crowns or stamps in certain cases

With the information that the Senate has passed the same without amendment.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## SENATE BILL No. 33.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating reimbursement by the Commonwealth

## SENATE BILL No. 72.

An Act to further amend section two hundred five of the act approved the ninth day of April, one thousand nine hundred twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof including the boards of trustees of State Normal School or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees in certain departments, boards and commissions shall be determined," increasing the maximum aggregate number of officers and men in the State Police Force.

## SENATE BILL No. 198.

An Act relating to apprenticeship creating a State Apprenticeship Council to formulate an apprenticeship policy and program and defining its powers and duties imposing duties on the Secretary of Labor and Industry and providing for administration

## SENATE BILL No. 221.

An Act to further amend section thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" by changing certain allowances and expenses

## SENATE BILL No. 242.

An Act making an appropriation to the trustees of Pennsylvania State College for expenditure by the School of Mineral Industries thereof for the purpose of studying the question of burning gob piles

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGES

## APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 394

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurring in by the House of Representatives, to House Bill No. 394, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the fiscal year and the date for meetings budgets taxation audits and reports changing the compensation of supervisors and auditors and permissible payments to secretaries of county associations and payments of dues by townships to state associations and the expense allowance of delegates providing for appointment of policemen authorizing police pension annuities to widen deepen and embank watercourses to employ township managers and certified public accountants to regulate the election of supervisors in certain cases providing for the levy of taxes for fire protection services changing the definition of volunteer firemen for workmen's compensation insurance purposes the method of advertising for bids the limitation on taxes for fire hydrant purposes the requirements for street and road improvements and the vote of supervisors required for zoning changes and clarifying and revising certain provisions of said act.

And has appointed Messrs. Mahoney, Snowden and Tarr as a committee of conference to confer with a similar committee of the House of Representatives already appointed on the subject of the differences existing between the two houses in relation to said bill.

## AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 897.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the World War II Veterans' Compensation Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer and the Board of Finance and Revenue, in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

## CONFERENCE REPORT ON HOUSE BILL NO. 394

Mr. WOOD. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 394.

The report was read by the Clerk.

The SPEAKER. The report will lie over for printing.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 669, entitled:

An Act conferring additional powers on the Joint State Government Commission and its committees and authorizing the commission to supervise and regulate the exercise of legislative powers by administrative agencies of the Commonwealth

On the question,

Will the House agree to the bill on third reading?

## BILL DROPPED FROM CALENDAR

Mr. BRUNNER. Mr. Speaker, I move that this bill be dropped from the calendar.

On the question,

Will the House agree to the motion?

Mr. HOMER S. BROWN. Mr. Speaker, the Minority Floor Leader is suffering with a terrific summer cold. It was his intention to speak on behalf of this bill. However, since the motion to drop from the calendar has been made I presume we are circumscribed in what we may be able to say, and perhaps will have to confine our remarks to the motion. He has asked me to speak for him.

I told him this morning that I was against the bill. So, I find myself in a peculiar position, of having to speak for the bill for our Minority Floor Leader, and speaking for myself against the bill. I am somewhat in the position that I cannot discharge the duties that have been placed upon me. I have tried to do whatever I can for the Minority Floor Leader, but he has placed a responsibility upon me that I cannot discharge. However, Mr. Speaker I am going to make his speech first, so that I will be sure to get that in. I have the right to choose which speech I shall make first. Mr. Speaker, will you recognize the Minority Floor Leader in absentia?

The SPEAKER. The Chair will do so.

Mr. HOMER S. BROWN. Mr. Speaker, the Minority Floor Leader feels, and I believe he is in good company, that these administrative boards have set themselves up somewhat as quasi Gestapo agencies. They have arrogated to themselves a certain amount of authority which has not been delegated to them. They have cemented themselves behind that authority. They are not amenable to suggestions from the Members of the General Assembly, and he feels that the time has come in this Commonwealth that this General Assembly should rip out and withdraw from these agencies the carte blanche authority that has been delegated to them.

For those reasons, Mr. Speaker, had the gentleman been able to speak, he would have asked this House to oppose this motion and to pass this bill.

Mr. Speaker, if you will recognize me, I want to say that the Minority Floor Leader is all right if he were constitutional, but this bill is an unconstitutional delega-

tion of power, and I join with the Majority Leader in asking that it be dropped from the calendar. I cannot conceive that anyone would bring into this Legislature such a preposterous and arbitrary piece of legislation. Not only should it be dropped from the calendar but, if possible, it should be wiped entirely off the record.

Mr. LOVETT. Mr. Speaker, I do not think I have any cold this morning. This little particular bill that we have here that Mr. Brunner wants to drop from the calendar, has been one of my pet hobbies since I have been in the Legislature. I have been saying that these boards, commissions and department heads have made all kinds of rules and regulations. In fact, Mr. Speaker, some three or four years ago we did try to set up some kind of a system whereby we would have some rules and regulations. I don't know what happened to it; I don't see much about it. It was good on paper.

Mr. Brown, the gentleman from Allegheny, says that it is a disgrace to bring in such a bill. Mr. Brown is an attorney. I would be perfectly willing to pass this bill and let the courts decide on whether or not it is constitutional. We have passed many other bills and the courts have made their decisions with respect to them.

The trouble with these departments, these boards and commissions is that they make rules and regulations that are not consistent with the laws passed by the Legislature, and when it affects the mass of the people, it is nobody's business and nobody does anything about it. If they make a rule or regulation that affects some big interest, they immediately take it to court and they change that rule or regulation, but in regard to rules and regulations of these boards that affect the average individual, the everyday citizen, there is nothing done for their protection, and I think that a bill like this should not be dropped from the calendar, for the simple reason that we will have somebody there in the interests of the people, and I say we should vote down this motion.

Mr. FLEMING. Mr. Speaker, I certainly agree with the Minority Floor Leader and with the gentleman from Westmoreland, Mr. Lovett. I think that the bill is at least a step in the right direction towards correcting some evils which we all recognize are present.

I am not a lawyer. Mr. Brown has suggested that the Act might be unconstitutional, but I would suggest to the Members of this House that I have been a member of the Joint State Government Commission and there are other lawyers besides Mr. Brown on the Joint State Government Commission, who have given the opinion that this is constitutional and will meet the test of constitutionality and I certainly do not think we should drop the bill from the calendar at this time. I think we should have an opportunity to vote on it, giving them the right to express their viewpoints as to whether or not we should delegate some of our power to the Joint State Government Commission, so that at least we can have an arm of our branch, an arm of the General Assembly, which would keep watch over the things that are being done by the various administrative bodies in this Commonwealth, and I urge every Member of this House to vote against the motion to drop this bill from the calendar.

Mr. BRUNNER. Mr. Speaker, I happen to be a member of the Executive Committee of the Joint State Government Commission. I have no personal objection to the objec-

tives of a measure such as this. I am personally convinced that the measure being considered by this House is unconstitutional. Mr. Speaker, I desire to refer to the fact that I took my oath on the first day of the Session that I would uphold the Constitution of Pennsylvania.

It is my personal opinion, as it is Mr. Brown's that this measure is unconstitutional and it is for that reason that I move that this bill be dropped from the calendar. In the event that the motion is defeated, and it is entirely up to the Membership to do so, the merits of the bill can be discussed and voted upon. I recognize that the sponsor of the bill is trying to impress upon the Members, directly or indirectly, the necessity for this measure's going through. The gentleman is a good friend of mine, but when I recognize and believe that a bill is unconstitutional, I think that it is my duty as a Member of this House to call that fact to the attention of the membership.

Mr. WEISS. Mr. Speaker, sometime recently during the Session which we are now concluding I believe that this House acted on the General State Authority bill by allowing the Minority Leader as well as the Majority Leader to sit on the General State Authority.

Not too long ago in this very same House I believe the gentleman from Indiana, Mr. McMillen, spoke very nicely about a bill in reference to the Aeronautics Commission, which also permitted the appointment of a minority and majority member, as far as discussion is concerned. How can we intelligently know the problems that are coming before us unless we have someone on these advisory boards to come back and report to us in an advisory manner what is going on.

As far as Senator Kephart, the sponsor is concerned, I do not believe he would try to draft a bill that was unconstitutional, especially since the Senator happens to be the son of a former Chief Justice of the Supreme Court of Pennsylvania, and he would certainly know what he is doing. If Senator Kephart drew this bill, I feel he knew what he was doing and I believe he thought it was a constitutional bill. I feel that this is the time to get started and we ought to vote down this motion and pass the bill.

Mr. McKINNEY. Mr. Speaker, there seems to be quite a difference of opinions on the merits or demerits of this measure and I am not so sure myself as to the constitutionality of this particular type of legislation. We have had similar acts, and more drastic acts on the books of the state for years. They were never enforced and for some reason they were repealed two years ago. The constitutionality of those acts was never questioned. I am willing to leave that question up to the judgment of my good friend, Mr. Brunner, together with my good friend from Allegheny, not to vote on unconstitutional matters. This should be decided once and for all, and I would ask my friends on the floor of the House to vote against this motion.

Mr. HOMER S. BROWN. Mr. Speaker, I cannot defend the Minority Floor Leader and myself at the same time, so, I will have to drop him; he had better go out and consult his books.

I simply want to answer,—and I shall not take a great deal of the time of the House,—the gentleman from Westmoreland, Mr. Weiss. He has confused the question; he asks the House to appoint certain Members of the Gen-

eral Assembly ex-officio, which means without any power at all.

This bill on page 2, the first paragraph,—I am not speaking on the constitutional question, and if you want to leave that to the courts, it is all right with me. This bill provides:

"To supervise and regulate the administrative boards, commissions, departments, and other agencies of the Commonwealth, except political subdivisions, in the exercise of the Legislative power delegated to them by the General Assembly."

Now, if you want to determine that that is unconstitutional, I submit to you that the Joint State Government Commission, of which I have the honor to be a Member, is only a fact finding body and could not possibly supervise and regulate all administrative boards, commissions, departments and other agencies of this Commonwealth. If they had the power to do it, it would create a situation in this Commonwealth of such confusion that has never been known before, and because of that, even if you are satisfied that the bill is constitutional, it should be defeated and the motion should prevail.

Mr. BRETH. Mr. Speaker, this bill, as I see it, and read it, fosters veto power over all boards and commissions,—regulatory power over all boards and commissions. I, like my friends, the gentleman from Allegheny, Mr. Homer Brown, who represents two people, am split on it. As a Legislator, I can agree with the principle in the bill, but as a sportsman I do not, because as a sportsman I will never agree to any one excepting the Game Commission and the Fish Commission having anything to do with how the sportsmen's money is spent or what we spend it for. They are the only independent commissions of the state of Pennsylvania; we raise our own funds and pay our own way; we ask no favor from any one, and our fund under this bill would be subject to action from another division of the Government. Therefore, I am absolutely opposed to that phase of it.

But, Mr. Speaker, as a Legislator, as I say, I am split. However, I would vote for the bill because I believe there are many other departments where they need it; where they need an advisory committee who breathe down the backs of their necks in order to make it possible for the Legislature to have an even break in the administration of their departments. But, Mr. Speaker, regarding the fish and game funds, this bill is no good.

Mr. BANE. Mr. Speaker, in view of the unusual situation which has arisen on this side of the House, Council representing the Minority Leader having abandoned the ship in midstream, he wishes to advise me and ask that I advise the House that he has retained now as Chief Counsel the gentleman from Venango, Mr. McKinney.

I will have to join with the Majority Leader and my colleague from Allegheny, Mr. Brown, in my position on this measure. So far as concerns the laudable intent of this measure, I join wholeheartedly in its purpose, but I believe that the purpose and intent of this measure if it becomes law in Pennsylvania will create a situation compared to which this State has never seen anything like it. So far as it concerns the practice in the past of appointing some Member of the House to sit upon any of these boards, commissions, or agencies as an ex-officio Member, I say that is entirely proper. That is what we have

been doing in the past, but the purpose and effect of this bill, if it becomes law, is to vest in the Joint State Government Commission the power, as Mr. Brown has pointed out, in Section 1 of this bill, to supervise and regulate all administrative boards, commissions and departments.

Section two of this bill is the laudable part of this measure and one with which I agree.

"To designate one of its members or some other Member of the General Assembly, to sit without vote on any board, commission or agency, to observe the manner in which legislative powers delegated to such agency by the General Assembly are being exercised."

This is delegating to the Joint State Government Commission authority which I believe is patently unconstitutional on its face, and as a member of the Bar of Pennsylvania I cannot agree with this bill. Therefore I am going to oppose its passage and support the motion to drop the bill from the calendar.

Mr. FLEMING. Mr. Speaker, I have just sent down for a copy of the bill. I would like to read it. I am not in a position to state whether the act is constitutional or unconstitutional, but I want to impress upon the Members of the House that on the Joint State Government Commission there are other lawyers who are certainly in sharp difference with the gentleman from Allegheny and the gentleman from Fayette on the problem of constitutionality, and also the position which is taken by our Floor Leader, the gentleman from Montgomery.

I would like to direct the attention of the House to the fact that the bill calls for the Joint State Government Commission only to supervise, in so far as it relates to the legislative power, and that nothing contained in the act shall be construed to interfere with the executive or judicial powers guaranteed by the Constitution of Pennsylvania. I submit to the House that nothing the Commission could possibly do would interfere with the quasi judicial, administrative or executive powers of any board or any commission in the Commonwealth. We are the elected representatives of the people and we are trying to give them the right to put the complaint about the handling of commissions in some proper form where they may be investigated. I think the bill is just and proper and I think it should be enacted into law.

Mr. SEYLER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Brown.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BROWN. I shall, Mr. Speaker.

Mr. SEYLER. Mr. Speaker there is one particular angle of this matter which occurred to me, in which I am very much interested. Would the gentleman state in his opinion, that school districts and local school boards are both political subdivisions?

Mr. HOMER S. BROWN. Mr. Speaker, I would say that question is one of the questions which raised a doubt in my mind. The Supreme Court has referred to the school districts as agencies of the Commonwealth. Under the Article of the Constitution which places the responsibility on the General Assembly to enact an educational system, I am of the opinion that a school district is an agency of the Commonwealth and I believe it can be construed to mean that the Joint State Government Commission would at-

tempt to regulate the school districts of the Commonwealth.

Mr. SEYLER. I thank the gentleman.

Mr. Speaker, if that is the case, if there is any possibility that the action of the local school boards would come under the provisions of this act and be subjected to the supervision and regulation of the Joint State Government Commission, then it is my opinion that we should vote against this bill, and we should vote in favor of the motion to drop this bill from the calendar.

Mr. GUARNIERI. Mr. Speaker, I just want to make this one observation. One of the sections gives to the Joint State Government Commission power to supervise and regulate. So Mr. Speaker, that is an unconstitutional delegation of power to the Joint State Government Commission, therefore, we should vote against this bill and we should vote to drop it.

The measure says "regulate." To regulate means to issue an order and that would mean that the Joint State Government Commission could issue orders to other boards and commissions. We have no power under the bill today as to how it shall regulate. That is definitely unfair and it is very clear in my mind and there is no question in my mind that that is unconstitutional.

Mr. WEISS. Mr. Speaker, I just want to add this, I am a Member of the Bar and have been for nearly twenty years past—

Mr. Speaker, I will yield to the gentleman from Allegheny, Mr. Bdown, for a moment, not to act as my counsel however.

Mr. HOMER S. BROWN. Mr. Speaker, may I in direct reply to the gentleman from York, Mr. Seyler, read an opinion of the Supreme Court as reported under the section establishing the public schools system in the Commonwealth of Pennsylvania, and I quote from the opinion of the Supreme Court in 274 Pa. page 541, as follows: "A school district is an agency for the administration of an important function of the state."

I simply say that to show to the gentleman that it is not only my private opinion but here is an opinion as recorded in 274 Pa., page 541, of the Supreme Court of Pennsylvania.

Mr. WEISS. Mr. Speaker, as I mentioned before, as a member of the Bar for nearly twenty years past, and as a Member of this House for the past seven sessions, I might state that too often in this House, lawyers, constitutional authorities, on the floor of the House kill good legislation on the basis that it is unconstitutional, whether it is or is not. I think it is about time that the Members of the House vote on the bills, on the merits and demerits of the bills; on the basis of what is good for the people and what is good for this government, and let the courts decide when the matter comes up before them. I say this with all due respect to the gentleman from Allegheny, Mr. Brown, who is a very good constitutional authority, but he certainly is not the Supreme Court bench sitting on those matters. I submit that legislation of this type should not be thrown out of the window on the basis that it is unconstitutional, but the Members themselves ought to decide whether it is good or bad.

Mr. READINGER. Mr. Speaker, I hesitate to take up the time of the House on this matter, but a matter has been injected here by the gentleman from Allegheny, Mr.

Brown, and the gentleman from York, Mr. Seyler, which I think is tending to confuse all of us.

The gentleman from York, Mr. Seyler, asked Mr. Brown whether or not a school board is an agency of the state. Mr. Brown in his opinion stated it was, but the courts have also held that a school district is a political subdivision of this Commonwealth. You will notice, Mr. Speaker, on page two of the bill that the Joint State Government Commission is given the authority "to supervise and regulate all administrative boards, commissions, departments and other agencies of the Commonwealth, except political subdivisions." I do not believe that any person on the Joint State Government Commission would even presume to try to regulate or supervise the legislative powers of any school board. I cannot imagine anything that would be more difficult or impossible of attainment than that.

The gentleman from Clearfield, Mr. Breth, also mentioned a matter which I do not believe is in line with the intent expressed in this bill. He objects to the Joint State Government Commission telling the Game and Fish Commission how to spend money for fish and game projects. I don't believe that there is any language in this bill which would lead the Joint State Government Commission to try to do such a thing. There is nothing in the intent of this bill to give the Joint State Government Commission the power to set aside the policy of the executive department. What it is intended to do is that there should be some regulation by this group through its own arm, the Joint State Government Commission, of the rule making power of these administrative agencies. As you well know, these administrative agencies sometimes make rules or regulations which are not in accordance with the law. Even though the Joint State Government Commission never tried to set aside an administrative ruling, the very fact that they have the power to do so will keep these agencies on their toes and they will scrutinize our laws more carefully, and will try to make rules and regulations in accordance with the intent set forth in the legislative acts as we have written them. I would like to see this motion to drop the bill from the calendar defeated.

Mr. FRANK. Mr. Speaker, to say that I am confused is putting it mildly. After all this talk on the question of whether the bill is constitutional or not, I am afraid that certain things may occur. The other night I would say that about one hundred and sixty of us took on the cloak of experts on the constitutionality or unconstitutionality of a certain bill. I cannot help but believe that perhaps those who did not vote were the smartest because they admitted that they did not know, which in the long run sometimes is best. If this bill comes to a vote on the question of constitutionality, I would request that the Majority Whip stay in his place and be counted only once, and not be running up and down that aisle like a cheer leader to get the boys to vote on whether the bill is constitutional or not.

Mr. YAFFEE. Mr. Speaker, I rise to oppose this motion. I think you are overlooking the practical aspects of this bill. Primarily it allows Members of the Legislature to sit on the board and determine whether or not they are acting in such a manner that they can defeat legislation passed by the Members of the Legislature who will meet again in 1951. Until such time as any of the Commis-

sions should attempt to supervise and regulate, I doubt very much whether the constitutionality of this measure will be raised. The primary purposes, as I said before, is to supervise or have somebody sitting in on this board. I think it is a good bill and I think under the circumstances we should vote for this measure, and if necessary come back the next time and pass laws in order to see that we shall have somebody on these boards to see that they are doing what they should.

Mr. BRANDON. Mr. Speaker, I do not desire to add anything to the constitutional argument. I would only like to point out that in 1945 this Act passed this House by a vote of 207 to 1. The Act vested control in the Common Pleas Court of Dauphin County. This House has already given supervisory power of these administrative agencies of this Commonwealth to the Court of Common Pleas of Dauphin County. House Bill 879 gave that power, not to the Joint State Government Commission, but to the Court of Common Pleas of Dauphin County, to regulate the rule making and regulatory functions of the administrative agencies of the Commonwealth. That is every bit as bad legislation as this.

Mr. BANE. Mr. Speaker, I think that the Members appreciate the seriousness of this particular piece of legislation. In my humble opinion there hasn't been before this House a measure which so vitally affects the interests of the general public of Pennsylvania as this particular bill, and it is deserving of your most serious consideration.

Section 1 of this measure, aside from the question of constitutionality, provides that the Joint State Government Commission shall have the power to supervise and regulate all the administrative agencies in connection with powers which the Legislature has delegated to these boards and commissions. The proper phraseology which is generally incorporated into Act of this kind is that they shall have these various powers, the power to make such orders and regulations to carry out the duties the General Assembly has set forth therein. Now, we are taking away from these boards and commissions and vesting it in one bureaucracy, if you like to call it that, the power to tell every agency how it shall be regulated and supervised. If you can tell me how any agency of this Commonwealth or any department or any commission on this Hill hereafter intelligently and effectively can decently operate under the provisions of this measure, with the Joint State Government Commission sitting on top by virtue of this measure, with full and complete power to tell them how they shall carry out the legislative intent vested in that particular commission, then I will support this measure.

I say to you, Members of the House, all you are doing is taking away from every commission on the Hill every vested or delegated power from the Legislature and putting it into the Joint State Government Commission and letting them tell every agency, commission or board on this Hill how it shall carry on its functions. That is the force and effect of this measure.

Notwithstanding the laudable purpose of this bill, if this Legislature merely would say that it intends to appoint one of its Members or some member of the Joint State Government Commission, with full and complete power to go into any one of these agencies to observe and report back to this House the manner in which it carries out

its functions, then I would support this measure one hundred percent, but I see no reason why the Joint State Government Commission should have vested in it full and complete power to control every agency on the Hill and tell them how they should function and do the business they are delegated to do. Therefore, Mr. Speaker, I believe in conclusion we should support this motion to drop this bill from the calendar.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. McKinney and Mr. Fleming, and were as follows:

# YEAS—102

Bane,	Frost,	Kline,	Robbins,
Barkdoll,	Gaffney,	Kratz,	Robertson,
Baumunk,	Gibson,	Kurtz,	Royer,
Bednarek,	Glembocki,	Lee,	Schuster,
Blair,	Good,	Leisey,	Scott,
Bomberger,	Graybill,	Leonard,	Seyler,
Bower,	Green,	Limper,	Shoemaker,
Brandon,	Greer,	Madigan,	Smith, W. B.,
Breisch,	Guarnieri,	McCullough,	Snider,
Brown, H. S.,	Hall,	McNally,	Sollenberger,
Brunner,	Hamilton,	Mihm,	Spencer,
Bucchin,	Harris,	Miller,	Sternberg,
Cadwalader,	Heatherington,	Moore, H. A.,	Stimmel,
Clapper,	Herman,	Munley,	Thompson,
Clendenning,	Hewitt,	Murray,	Varnier,
Coleman,	Hoffman,	Musto,	Waterhouse,
DeLong,	Hoggard,	Nagel,	Watkins,
Dye,	Hunter,	Neff,	Weidner,
Elder,	Jenkins,	Orban,	Wood,
Erb,	Johnson,	Pfaff,	Yeakel,
Ferster,	Jones, J. M.,	Powers,	Yester,
Filo,	Jump,	Price, H. W., Jr.,	Young,
Firmstone,	Kamyk,	Readinger,	Ziegler,
Floyd,	Keller,	Reagan,	Sorg,
Fox,	Kent,	Reilly, J. M.,	Speaker
Frank,	Kirley,	Riley, R. L.,	

# NAYS—82

Altshuler,	Hagerty,	Moran,	Smith, C. C.,
Amarando,	Haudenschild,	Najaka,	Stank,
Andrews,	Hersch,	Needham,	Stuart,
Beaver,	Hocker,	Nixon,	Swope,
Bloom,	Jim,	O'Dare,	Tahl,
Cole,	Jones, G. E.,	O'Donnell,	Taylor,
Conway,	Kohl,	Pentrack,	Tompkins,
Cooper,	Kolankiewicz,	Petrosky,	Toomey,
Costa,	Kondrath,	Pettigrew,	Varallo,
Dennison,	Lederer,	Polen,	Wachhaus,
Dougherty,	Loftus,	Posta,	Wagner,
Driscoll,	Lovett,	Price, R. A.,	Wargo,
Duffy,	McCormack,	Proper,	Weiss,
Evans,	McGee,	Reese,	Wescott,
Ewing,	McKinney,	Reidenbach,	Westrick,
Felton,	Mikula,	Rosen,	Wheeler,
Flack,	Milliken,	Rovasek,	Williams,
Fleming,	Millis,	Sax,	Worley,
Gallagher,	Mintess,	Scanlon,	Yaffe,
Goodling,	Monroe,	Schmidt,	Yetzer,
Guthrie,	Moore, C. E.,		

# NOT VOTING—24

Boles,	Dalrymple,	Jennings,	Peta,
Boorse,	Depuy,	Kemp,	Reynolds,
Breth,	George,	Krise,	Rose,
Brice,	Greenwood,	McMillen,	Sarrafa,
Brown, W. E.,	Harney,	Olsen,	Verona,
Cochran,	Helm,	Penglase,	Welsh,

So the question was determined in the affirmative and the motion was agreed to.

# BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 671, as follows:

An Act to amend section one hundred two clause (b) of section three hundred seven clause (b) of section three hundred eight clause (a) of section three hundred fourteen and sections six hundred one seven hundred one and seven hundred three of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes and return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by authorizing counties to elect to become subject to said act providing for the transfer of tax claims to the Tax Claim Bureau and for the determination of the validity of tax claims and providing for the stay of tax sales by the court of common pleas

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred two clause (b) of section three hundred seven clause (b) of section three hundred eight clause (a) of section three hundred fourteen and sections six hundred one seven hundred one and seven hundred three of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" are hereby amended to read as follows

Section 102 Definitions As used in this act the following words shall be construed as herein defined unless the context clearly indicates otherwise

"Bureau" the Tax Claim Bureau created by this act in the several counties

"Claim" a claim entered in a claim docket by the bureau to recover the taxes returned by the various taxing districts against a certain property

"Director" the director of the Tax Claim Bureau of the several counties

"Owner" the person in whose name the property is first registered if registered according to law and in all other cases means any person in open peaceable and notorious possession of the property as apparent owner or owners thereof or the reputed owner or owners thereof in the neighborhood of such property

"Property" real property subject to a tax lien or against which a claim is being or has been filed as a lien "Property" includes both seated and unseated lands

"Taxes" any county except of the first class city except of the first or second class or second class A borough incorporated town township school district except of the first class or school district within a city of the second class A or institution district taxes and interest and penalties due thereon except where interest and penalties have been abated by provisions of law if the owner pays his delinquent taxes on the installment plan in which case interest and penalties shall be included as may be provided by the act abating the penalties and interest if there has been a default by the owner in the payment of any instalment of taxes

"Taxing District" any county except a county of the first class city except a city of the first or second class or second class A borough incorporated town township school district except a school district of the first class or a school district within a city of the second class A or institution district Provided however That this act shall not be construed to require any city of the third class or any school district within a city of the third class to collect its delinquent taxes on property under and in accordance with the provisions of this act if the city or the school district shall notify the Tax Claim Bureau in writing on or before the first day of May 1948 that pursuant to a resolution of the city council the city or the board of directors of the school district has resolved that returns of property will not be made under the provisions of this act but that its delinquent taxes will be collected by the filing of liens in the office of the prothonotary or by sale of such property at a city treasurer's sale under existing laws Any such city and any such school district may in any year after 1948 notify the Tax Claim Bureau on or before the first day of May of the year that pursuant to a resolution of the city council or of the board of directors the city or school district as the case may be has resolved to collect its delinquent taxes on property under and in accordance with the provisions of this act and thereafter the city's or school district's delinquent taxes shall be collected only under and in accordance with the provisions of this act Provided further That this act shall not apply in any county the county commissioners of which shall during the month of January one thousand nine hundred forty-eight adopt a resolution electing not to accept the provisions of this act but to continue to collect its delinquent taxes sell real estate and hold tax sales under and in accordance with existing laws but any such county may in any year after 1948 by resolution adopted by the county commissioners during the Month of January elect to collect its delinquent taxes on property and those of other taxing districts using the return system under and in accordance with the provisions of this act

Joinder 307 Filing Claims Testing Validity of Old Claims Joinder of Claims of Taxing Districts

(b) Claims for taxes due on property [heretofore] returned to the county commissioners and certified to the county treasurer for tax sale purposes under existing law must if no sale on such claims has been held be transferred to the bureau from the office of the county treasurer on or before the first Monday of May one thousand nine hundred forty-eight And where a taxing district shall hereafter become subject to the provisions

of this act such transfer shall be made on or before the first day of June of the year the taxing district becomes so subject In cases where an owner is paying taxes under the provisions of any act of Assembly abating penalties interest and costs or either the claims must likewise be transferred as herein provided but no costs or either the claims must likewise be transferred as herein provided but no costs involved in such tranfer shall be chargeable to the owner so long as he is not in default in his payments Such costs shall be payable by the county except where there is a default

Section 308 Notice of Filing of Returns and Entry of Claim

(b) In the case of claims for taxes [heretofore] filed in the office of the prothonotary which have not been heretofore reduced to judgment where the lien of such claim has not been lost the respective taxing districts shall return to the bureau on or before the first Monday of May one thousand nine hundred forty-eight or on or before the first Monday of June of any year in which any city of the third class or any county shall elect to collect its delinquent taxes in accordance with this act a complete list of such claims and the properties against which the same are filed and the bureau shall give such owners the same notice as above provided

Section 314 Proceeding to Attack Validity of Claim

(a) Any claim for taxes may prior to the time it becomes absolute be set aside or reduced in amount by the bureau in which it is filed if the claim is found invalid in whole or in part by reason of the fact that the taxes for which the claim was entered were paid in whole or in part to a proper officer or agent of the taxing district or is found invalid in whole or in part for any other reason not involving a question which could have been raised by an appeal provided for by law

Section 601 Date of Sale (a) Commencing on the second Monday of July of each year or on any day to which a sale may be adjourned or readjourned such adjournment not to be for a longer period than sixty (60) days or any day to which a sale may be continued the bureau shall sell such property (except where the property is essential to the business of quasi-public corporations) against which a tax claim has become absolute and the period of redemption has expired (without the property having been redeemed) or against which a tax judgment has heretofore been entered under any other law which judgment has not been satisfied and on which a sale has not been stayed by agreement in the manner hereinafter provided and where the property subject to the claim or judgment is not or no longer remains in possession of the sequestrator The bureau may for convenience and because of the number of properties involved schedule sales of property in various taxing districts or wards thereof on different dates but all sales except as herein otherwise provided shall be held by the bureau by the end of the said calendar year Taxing districts shall notify the bureau of tax judgments which have prior to the effective date of this act been entered under any other law in order that properties subject to the lien of such judgments may be included in the sale

(b) No property shall be exposed to sale where the delinquent taxes involved in a claim are being paid by the owner under any law abating penalties interests and costs or either unless there has been a default by the owner in payment in which case the sale of the property shall be proceeded with as herein provided at the time fixed for the next scheduled sale occurring at least ninety (90) days after such default

(c) The taxing authorities of the county and of any political subdivision in the county may jointly petition the court of common pleas of the county to stay the sale of property in any political subdivision held under the provisions of this section The petition shall set forth the reasons for such stay If in the opinion of the court after hearing there are sufficient reasons for such stay the court shall have jurisdiction and power to enter an order staying such sale for any period not exceeding one year from the time fixed for such sale under subsection (a)

of this section In case of any such stay of sale the properties in such political subdivision shall be sold in accordance with the provisions of this section on the date of the next annual sale

Section 701 Property Heretofore Purchased by Taxing Districts to be Turned Over to Bureau Where the county commissioners any taxing district or trustee for any taxing districts have prior to the effective date of this act or prior to the time when this act became effective in any taxing district acquired any property at a tax sale or a sale on a judgment for a tax claim unless such property or interest shall have been resold or used for a public purpose for which the property might otherwise have been acquired such commissioners taxing district or trustees shall prior to the first day of January one thousand nine hundred forty-nine or within one year after this act becomes effective as to a taxing district or in cases where the redemption period has not expired at such time immediately on the expiration thereof delivered possession of such property to the bureau together with all the pertinent information as to when and how it was acquired the taxes for which it was offered for sale at the time the party which purchased it the mortgages liens or estates if any not discharged by such sale known to the taxing district to be a charge on the property and the taxes which would have been levied against such property had it not been purchased by the taxing district if known to the taxing district Thereafter all rights and title to the property held by such taxing district or trustee shall vest in the county as trustee for all taxing districts having the power to levy taxes against such property if it were privately owned and the bureau shall become the agent of all taxing districts having an interest in the management and control of such property with the following powers and duties with respect thereto

Section 703 Such Properties to be Sold Under Provisions of Article VI All properties so turned over to the bureau which have not been sold at private sale as hereinbefore provided shall be sold by the bureau at public sale held not later than the first day of June one thousand nine hundred fifty-one or at a public sale held not later than two years after this act becomes effective as to such taxing district Such sales shall be made if requested by the county commissioners taxing district or trustee which delivered possession thereof to the bureau in the same manner as if said property was being sold at a first sale on a tax claim as provided in Articles III and VI and if no such request is made upon petition to court for an order to sell clear and free of all claims liens mortgages and estates in the same manner with like proceedings and with like effect as if said properties had been first exposed to public sale as provided in Article VI but not sold because of insufficient bid The sale of properties turned over to the bureau under the provisions of this article shall except as herein otherwise provided be subject to all the provisions of Article VI in so far as they may be applicable and when sold at public sale by order of court as above provided such properties shall be sold free and discharged from all tax and municipal claims mortgages liens charges and estates whatsoever

It is the intent of this section that where said property is exposed to a first public sale at the request of the county commissioners or trustee as above provided but is not sold because of insufficient bid the property shall thereafter be sold by order of court [not later than the first day of June one thousand nine hundred fifty-one] as herein provided freed and discharged from all liens and encumbrances as provided under Article VI

On the question,  
Shall the bill pass finally?  
Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Robertson.  
The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?  
Mr. ROBERTSON. I shall, Mr. Speaker.  
Mr. READINGER. Mr. Speaker, in order that the Mem-

bers may gain information concerning the meaning of this bill as amended by Mr. Robertson yesterday, I wonder if the gentleman from Delaware would explain the effect of the amendments, and also briefly explain the meaning of this bill.

Mr. ROBERTSON. Mr. Speaker, the amendment which I put in yesterday to House Bill 671, if the gentleman will look at the bill, he will see that all of the fiscal year provisions have been stricken out of the bill. That was the purpose of the amendment. The remainder of the bill is merely an amendment to the 1947 Tax Claim Bureau Law, which permitted certain counties to come under the Act, and also permitted an appeal in certain cases. It merely is an amendment to the Tax Claim Bureau Law.

Mr. READINGER. Mr. Speaker, I thank the gentleman from Delaware and I ask the Members to vote for this bill.

#### QUESTION OF INFORMATION

Mr. GUARNIERI. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state it.

Mr. GUARNIERI. Mr. Speaker, we have the unhappy situation arising that our calendars have been removed, and in regard to the bills that we are acting on, I might say we cannot read the bills and we are therefore lost.

The SPEAKER. For the information of the gentleman from Philadelphia, Mr. Guarnieri, this is a reprint of the bill which was placed on the desks this morning.

#### QUESTION OF INFORMATION

Mr. HOMER S. BROWN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. HOMER S. BROWN. Mr. Speaker, I notice that some of the Members don't have calendars. There are two on my desk, maybe some of the other Members who don't have one may get one here.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Baumunk,	Gibson,	McCullough,	Sarraf,
Beaver,	Glembocki,	McGee,	Sax,
Bednarek,	Good,	McKinney,	Scanlon,
Blair,	Goodling,	McMillen,	Schmidt,
Bloom,	Graybill,	McNally,	Schuster,
Boles,	Green,	Mihm,	Scott,
Bomberger,	Greenwood,	Mikula,	Seyler,
Boorse,	Greer,	Miller,	Shoemaker,
Bower,	Guarnieri,	Milliken,	Smith, O. C.,
Brandon,	Guthrie,	Mills,	Smith, W. B.,
Brelsach,	Hagerty,	Mintess,	Snider,
Breth,	Hall,	Monroe,	Sollenberger,
Brice,	Hamilton,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harney,	Moore, H. A.,	Stank,
Brown, W. E.,	Harris,	Moran,	Sternberg,
Brunner,	Haudenschild,	Munley,	Stimmel,
Bucchin,	Heatherington,	Murray,	Stuart,
Cadwalader,	Helm,	Musto,	Swope,
Clapper,	Herman,	Nagel,	Tahl,
Clendenning,	Hersch,	Najaka,	Taylor,
Cochran,	Hewitt,	Needham,	Thompson,

Cole,	Hocker,	Neff,	Tompkins,
Coleman,	Hoffman,	Nixon,	Toomey,
Conway,	Hoggard,	O'Dare,	Varallo,
Cooper,	Hunter,	O'Donnell,	Varner,
Costa,	Jenkins,	Olsen,	Verona,
Dalrymple,	Jennings,	Orban,	Wachhaus,
DeLong,	Jim,	Penglase,	Wagner,
Dennison,	Johnson,	Pentrack,	Wargo,
Depuy,	Jones, G. E.,	Peta,	Waterhouse,
Dougherty,	Jones, J. M.,	Petrosky,	Watkins,
Driscoll,	Jump,	Pettigrew,	Weldner,
Duffy,	Kamyk,	Pfaff,	Weiss,
Dye,	Keller,	Polen,	Welsh,
Elder,	Kemp,	Posta,	Wescott,
Erb,	Kent,	Powers,	Westrick,
Evans,	Kirley,	Price, H. W., Jr.,	Wheeler,
Ewing,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Probert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

#### NAYS—1

Barkdoll,

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 700, as follows:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by transferring certain duties heretofore imposed under this act on the Department of Public Instruction to the State Board of Cosmetology. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" is hereby amended by adding at the end thereof a new paragraph to read as follows

Section 1 Be it enacted &c That Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

\* \* \* \* \*

"Board" means the State Board of Cosmetology

Section 2 Section three of said act is hereby amended to read as follows

Section 3 Requirements to Practice Before any person may practice or teach beauty culture or manage a beauty shop such person shall file with the [department] board a written application for registration accompanied by a health certificate issued by a registered licensed physician of Pennsylvania under oath on a form which shall be prescribed and supplied by [such department] the board and shall deposit with the department the registration fee and pass an examination to be given by the board as to fitness to practice or teach beauty culture or manage a beauty shop as hereinafter provided in this act

Section 3 Section four of said act as amended by the act approved the third day of May one thousand nine hundred forty-five (P. L. 412) is hereby further amended to read as follows

Section 4 Eligibility Requirements for Examination No person shall be permitted by the [department] board to take an examination to receive a certificate as an operator unless such person shall be at least sixteen years of age and has been registered as a student and has had training as hereinafter provided in this act in a beauty school duly registered by the department or unless such person shall have been registered and served as an apprentice at least two years as hereinafter provided in this act Provided however That the [department] board may permit a person to take an examination without the prior studentship or apprenticeship herein required if such person shall establish to the satisfaction of the [department] board that he or she has been an operator in the active practice of beauty culture for at least twenty-four months prior to the date of filing an application for admission to an examination No person shall be permitted to take an examination for a certificate to teach beauty culture or act as manager of a beauty shop unless such person shall be at least eighteen years of age and has had at least eighteen months experience as an operator in a beauty shop or has had training in a duly registered school of beauty culture of fifteen hundred hours inclusive of the studies necessary to become an operator

Section 4 Section ten of said act as amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 660) is hereby further amended to read as follows

Section 10 Apprentices in Beauty Shops Any cosmetologist hairdressers or cosmetician who is a beauty shop owner and who is a holder of a teacher's certificate may instruct apprentices provided that there shall be no less than two licensed operators for each apprentice in any shop and there shall no more than two apprentices in any shop and provided such shop is not held out as a school of beauty culture Such apprentices may apply for examination at the end of their apprenticeship at the next regular examination held by the [department] board and if successful therein shall be registered as operators Registered apprentices upon completion of their required term of apprenticeship may apply for and receive from the department temporary permit to practice as an operator until the next regular examination

Section 5 Section eleven of said act is hereby amended to read as follows

Section 11 Rules by [Department] Board The [department] board shall prescribe reasonable rules for its conduct and for the qualifications registration and examination of applicants to practice or teach beauty culture and for the registration of apprentices teachers students and managers of beauty shops or schools of beauty culture and for temporary licenses to be issued [at the discretion of] by the department and generally for the conduct of persons copartnerships associations or corporations affected by this act Rules established by the [department] board shall be printed and supplied to applicants and license holders

Section 6 Sections twelve and thirteen of said act as last amended by the act approved the third day of May one thousand nine hundred forty-five (P. L. 412) are hereby further amended to read as follows

Section 12 Examinations Issuance of Certificates of Registration If the [department] board finds that the applicant has submitted the credentials required by this act for admission to examination and has paid the registration fee required by this act the [department] board shall admit such applicant to examination and the department shall issue a certificate of registration to practice as operator manager or teacher as the case may be to those successfully passing the required examinations Provided That if the applicant fails to pass the examination he or she may be eligible to take the next examination without any additional fee Every certificate of registration issued by the department shall have attached securely thereto a photograph of the person to whom the same is issued and where a certificate is issued in the name of a corporation it shall have attached thereto the photograph of the manager thereof Such photographs shall be furnished by the applicant for registration and shall be of such size as the [department] board may require The [department] board shall hold public examinations on the third Tuesday in January April July and October in the cities of Philadelphia Pittsburgh Wilkes-Barre Harrisburg and Erie at such hours as [the department] it shall prescribe The examination for teachers' and managers' licenses shall differ from the examination for operators' licenses in that it shall be of a more exacting nature and require higher standards of knowledge of the practice and theories of beauty culture including ability to teach properly the various practices and theories of beauty culture

Section 13 Powers and Duties of [Department] Board The [department] board shall have the power to refuse revoke or suspend licenses or certificates upon due hearing on proof of violation of any provisions of this act or the rules and regulations established by the [department] board under this act or for gross incompetency or dishonest or unethical practices or for performing beauty culture work on Sunday and shall have the power to require the attendance of witnesses and the production of such books records and papers as [it may desire] may be necessary Before any certificate shall be suspended or revoked for any of the reasons contained in this section the holder thereof shall have notice in writing of the charge or charges against him or her and shall at a day specified in said notice which shall be at least five days after the service thereof be given a public hearing before a duly authorized representative of the [department] Board with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her Any person whose certificate of registration has been so suspended or revoked may on application to the [department] board have the same reissued to him or her upon satisfactory proof that the disqualification has ceased Before the [department] board may institute any of the above proceedings it shall send a notice in writing to the certificate holder of any alleged violation of this act or rules thereunder together with a notice that if the violation is not abated within fifteen days the proceedings above outlined will be initiated

Section 7 Sections fourteen and fifteen of said act are hereby amended to read as follows

Section 14 Sanitary Rules The [department] board shall prescribe such sanitary rules as it may deem necessary with particular reference to the precautions necessary to be employed to prevent the creating and spreading of infectious and contagious diseases and it shall be unlawful for the owner or manager of any beauty shop or school of beauty culture to permit any person to sleep in or use for residential purposes any room used wholly or in part as a beauty shop or school of beauty culture

Section 15 [Appeal from Actions of Department] Appeals An appeal may be taken from any actions of the board or department to the court of common pleas of Dauphin County The judgment of the common pleas court may be reviewed by the Superior Court on appeal

On the question,

Will the House agree to the bill on third reading?

It was agreed to.  
On the question,  
Shall the bill pass finally?

## QUESTION OF INFORMATION

Mr. MORAN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. MORAN. Mr. Speaker, I wonder if anybody on the other side of the House can briefly explain what this bill does. What is the purpose of this bill?

The SPEAKER. For the information of the Members, we are considering Senate Bill No. 700, Printer's No. 714. Will the gentleman from Centre permit himself to be interrogated?

Mr. FROST. I shall, Mr. Speaker.

The SPEAKER. The gentleman from Centre will proceed.

Mr. FROST. Mr. Speaker, in reply to the gentleman from Allegheny, Mr. Moran, Bill 700 authorizes a Board of Cosmetology to be set up in the Department of Instruction. The next bill, 701, is a companion bill.

Mr. MORAN. Mr. Speaker, I cannot hear the gentleman.

Mr. FROST. Mr. Speaker, Senate Bill 700 authorizes a Board of Cosmetology in the Department of Public Instruction. Senate Bill 701 is a companion bill and sets up a Board of Cosmetology. 700 authorizes the board and 701 sets up to Board of Cosmetology.

Mr. MORAN. Mr. Speaker, I would like to ask the gentleman if there is anything in this bill which would permit apprentices or learners, or whatever you want to call them, in beauty shops, to charge for their work.

Mr. FROST. There is not, Mr. Speaker. There is nothing mentioned in the bill, either one, regarding apprentices.

Mr. MORAN. That is all. Mr. Speaker, I want to thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—158

Andrews,	Frost,	Lovett,	Rovansek,
Bane,	Gaffney,	Madigan,	Royer,
Baumunk,	Gallagher,	McCormack,	Schmidt,
Beaver,	George,	McCullough,	Schuster,
Blair,	Gibson,	McGee,	Scott,
Bomberger,	Good,	McKinney,	Seyler,
Bower,	Goodling,	McMillen,	Shoemaker,
Brandon,	Graybill,	McNally,	Smith, C. C.,
Breisch,	Green,	Mihm,	Smith, W. B.,
Breth,	Greer,	Mikula,	Snider,
Brice,	Guthrie,	Miller,	Sollenberger,
Brown, H. S.,	Hall,	Milliken,	Stank,
Brunner,	Hamilton,	Mills,	Sternberg,
Bucchin,	Harris,	Mintess,	Stimmel,
Cadwalader,	Haudenshield,	Moore, C. E.,	Stuart,
Clapper,	Heatherington,	Moore, H. A.,	Swope,
Cole,	Herman,	Moran,	Tompkins,
Coleman,	Hersch,	Murray,	Toomey,
Cooper,	Hewitt,	Musto,	Wachhaus,
Costa,	Hocker,	Nagel,	Wagner,
Dalrymple,	Hunter,	Neff,	Waterhouse,
DeLong,	Jenkins,	Nixon,	Watkins,
Dennison,	Jennings,	O'Dare,	Weidner,
Depuy,	Johnson,	O'Donnell,	Welss,
Driscoll,	Jones, G. E.,	Peta,	Welsh,
Duffy,	Jones, J. M.,	Petrosky,	Wescott,

Dye,	Kamyk,	Pettigrew,	Westrick,
Elder,	Kemp,	Praff,	Wheeler,
Erb,	Kent,	Polen,	Williams,
Evans,	Kline,	Powers,	Wood,
Ewing,	Kohl,	Price, H. W., Jr.,	Worley,
Felton,	Kondrath,	Probert,	Yaffe,
Ferster,	Kratz,	Readinger,	Yeakel,
Filo,	Kurtz,	Reese,	Yetzer,
Firmstone,	Lederer,	Reilly, J. M.,	Young,
Flack,	Leisey,	Riley, R. L.,	Ziegler,
Fleming,	Leonard,	Robbins,	Sorg,
Floyd,	Limper,	Robertson,	Speaker
Fox,	Loftus,	Rosen,	

## NAYS—35

Altshuler,	Guarnieri,	Monroe,	Sax,
Amarando,	Hagerty,	Munley,	Scanlon,
Barkdoll,	Hoffman,	Najaka,	Spencer,
Bednarek,	Hoggard,	Needham,	Taylor,
Clendening,	Jim,	Orban,	Thompson,
Conway,	Jump,	Posta,	Varallo,
Dougherty,	Keller,	Price, R. A.,	Varner,
Frank,	Kirley,	Reidenbach,	Wargo,
Glembocki,	Lee,	Sarraff,	Yester,

## NOT VOTING—15

Bloom,	Greenwood,	Olsen,	Reynolds,
Boies,	Harney,	Penglase,	Rose,
Boorse,	Helm,	Pentrack,	Tahl,
Brown, W. E.,	Kolankiewicz,	Reagan,	Verona,
Cochran,	Krise,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. FROST. Mr. Speaker, since the next bill, Senate Bill 701, is a companion bill, I ask that the same roll call be taken for Senate Bill No. 701.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 701, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by creating the State Board of Cosmetology as a departmental administrative board in the Department of Public Instruction and prescribing its powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as relates to the Department of Public Instruction of section two hundred two of the act approved the ninth day of April one thousand nine hun-

dred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the eighth day of May one thousand nine hundred forty-seven (P. L. 158) the ninth day of May one thousand nine hundred forty-seven (P. L. 187) and the thirteenth day of May one thousand nine hundred forty-seven (P. L. 211) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or officers as the case may be in the respective administrative departments mentioned in the preceding section as follows

\* \* \* \* \*

In the Department of Public Instruction

- State Council of Education
- State Real Estate Commission
- Pennsylvania State Board of Censors
- Public School Employes' Retirement Board
- Board of Trustees of Thaddeus Stevens Trade School
- Board of Trustees of Pennsylvania State Oral School for the Deaf
- Board of Trustees of Pennsylvania Soldiers' Orphan School
- Board of Trustees of West Chester State Teachers' College
- Board of Trustees of Millersville State Teachers' College
- Board of Trustees of Kutztown State Teachers' College
- Board of Trustees of East Stroudsburg State Teachers' College
- Board of Trustees of Mansfield State Teachers' College
- Board of Trustees of Bloomsburg State Teachers' College
- Board of Trustees of Shippensburg State Teachers' College
- Board of Trustees of Lock Haven State Teachers' College
- Board of Trustees of Indiana State Teachers' College
- Board of Trustees of California State Teachers' College
- Board of Trustees of Slippery Rock State Teachers' College
- Board of Trustees of Edinboro State Teachers' College
- Board of Trustees of Clarion State Teachers' College
- Board of Trustees of Cheyney Training School for Teachers
- State Board of Medical Education and Licensure
- State Board of Pharmacy
- State Dental Council and Examining Board
- State Board of Optometrical Examiners
- State Board of Osteopathic Examiners
- Osteopathic Surgeons' Examining Board
- State Board of Examiners for the Registration of Nurses

- State Board of Cosmetology
- State Board of Veterinary Medical Examiners
- State Board for the Examination of Public Accountants
- State Board of Examiners of Architects
- State Registration Board for Professional Engineers [State Civil Service Commission]
- Public Service Institute Board

Section 2 Article four of said act is hereby amended by adding thereto immediately after section four hundred fifty-four thereof a new section to read as follows

Section 455 State Board of Cosmetology (a) The State Board of Cosmetology shall consist of the superintendent of public instruction and five persons who have been citizens of this State for at least five years prior to their appointment. Such board shall be appointed by the Governor within thirty days after the effective date of this act. The members of the board shall be at least twenty-five years of age and shall have had at least five years practical experience in the majority of the practices of Cosmetology. One member of the board may be the owner of a school of cosmetology but two members of said board shall not be graduates of the same school.

(b) The board shall elect one of its members as chairman and shall elect a secretary who need not be a member of the board who shall have such powers and shall perform such duties not contrary to law as the board shall prescribe.

(c) Three members of the board shall constitute a quorum and any action or order of the board shall require the approval of at least three members.

(d) The members of the board shall receive fifteen dollars (\$15) per diem for each day actually devoted to the work of the board and the secretary shall receive such reasonable compensation as shall be determined by the board with the approval of the Superintendent of Public Instruction.

Section 3 Section one thousand three hundred ten of said act as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) and as partly repealed by the act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 158) is hereby further amended to read as follows

Section 1310 Professional Examining Boards The professional examining boards within the Department of Public Instruction shall respectively exercise the rights and powers and perform the duties by law vested in and imposed upon them. Provided however That all certificates and official documents of such examining boards shall be issued by the Department of Public Instruction but may be signed by the members of the appropriate board or any of them as determined by such board.

Subject to the preceding provisions of this section and to any other inconsistent provisions in this act contained

The State Board of Medical Examination and Licensure shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Bureau of Medical Examination and Licensure in the Department of Public Instruction.

The State Board of Pharmacy shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board.

The State Dental Council and Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board the State Dental Council and the Board of Dental Examiners for the Commonwealth of Pennsylvania.

The State Board of Optometrical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Board of Optometrical Education Examination and Licensure.

The State Board of Osteopathic Examiners shall continue to exercise the powers and perform the duties by

law vested in and imposed upon the said board and the State Board of Osteopathic Examiners of Pennsylvania

The Osteopathic Surgeons' Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examiners for Registration of Nurses shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Cosmetology shall exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Veterinary Medical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examination of Public Accountants shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examiners of Architects shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Registration Board for Professional Engineers shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Centre, Mr. Frost.

The SPEAKER. Will the gentleman from Centre permit himself to be interrogated?

Mr. FROST. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I have no objection whatsoever to the same roll call being applied to Senate Bill 701 but I simply want to ask the sponsor, inasmuch as these are companion or twin bills, which one has the Toni?

Mr. FROST. Mr. Speaker, I did not hear the gentleman.

The SPEAKER. The gentleman from Centre states that he has not heard the gentleman from Berks. The Chair also states that he was unable to hear the gentleman. Will the gentleman please repeat his question?

Mr. READINGER. Mr. Speaker, I simply desire to have the sponsor, Mr. Frost, inasmuch as he stated that Senate Bill 700 and 701 were companion bills, I would like to know which one has the Toni.

Mr. FROST. Mr. Speaker, the one on the right.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—158

Andrews, "	Frost,	Loftus,	Rosen,
Bane,	Gaffney,	Lovett,	Rovansek,
Baumunk,	Gallagher,	Madigan,	Royer,
Beaver,	George,	McCormack,	Schmidt,
Blair,	Gibson,	McCullough,	Schuster,
Bomberger,	Good,	McGee,	Scott,
Bower,	Goodling,	McKinney,	Seyler,
Brandon,	Graybill,	McMillen,	Shoemaker,
Brelsch,	Green,	McNally,	Smith, C. C.,
Breth,	Greer,	Mihm,	Smith, W. B.,
Brice,	Guthrie,	Mikula,	Snider,
Brown, H. S.,	Hall,	Miller,	Sollenberger,
Brunner,	Hamilton,	Milliken,	Stank,

Bucchin,	Harris,	Mills,	Sternberg,
Cadwalader,	Haudenshield,	Mintess,	Stimmel,
Clapper,	Heatherington,	Moore, C. E.,	Stuart,
Cole,	Herman,	Moore, H. A.,	Swope,
Coleman,	Hersch,	Moran,	Tompkins,
Cooper,	Hewitt,	Murray,	Toomey,
Costa,	Hocker,	Musto,	Wachhaus,
Dalrymple,	Hunter,	Nagel,	Wagner,
DeLong,	Jenkins,	Neff,	Waterhouse,
Dennison,	Jennings,	Nixon,	Watkins,
Depuy,	Jim,	O'Dare,	Weldner,
Driscoll,	Johnson,	O'Donnell,	Weiss,
Duffy,	Jones, G. E.,	Peta,	Welsh,
Dye,	Jones, J. M.,	Petrosky,	Wescott,
Elder,	Kamyk,	Pettigrew,	Westrick,
Erb,	Kemp,	Pfaff,	Wheeler,
Evans,	Kent,	Polen,	Williams,
Ewing,	Kline,	Powers,	Wood,
Felton,	Kohl,	Price, H. W., Jr.,	Worley,
Ferster,	Kondrath,	Propert,	Yaffe,
Filo,	Kratz,	Readinger,	Yeakel,
Firmstone,	Kurtz,	Reese,	Yetzer,
Flack,	Lederer,	Reilly, J. M.,	Young,
Fleming,	Lelsey,	Riley, R. L.,	Ziegler,
Floyd,	Leonard,	Robbins,	Sorg,
Fox,	Limper,	Robertson,	Speaker

#### NAYS—35

Altshuler,	Guarnieri,	Munley,	Scanlon,
Amarando,	Hagerty,	Najaka,	Spencer,
Barkdoll,	Hoffman,	Needham,	Taylor,
Bednarek,	Hoggard,	Orban,	Thompson,
Clendenning,	Jump,	Posta,	Varallo,
Conway,	Keller,	Price, R. A.,	Varner,
Dougherty,	Kirley,	Reidenbach,	Wargo,
Frank,	Lee,	Sarra,	Yester,
Glembockl,	Monroe,	Sax,	

#### NOT VOTING—15

Bloom,	Cochran,	Krise,	Reagan,
Boles,	Greenwood,	Olsen,	Reynolds,
Boorse,	Harney,	Penglase,	Rose,
Brown, W. E.,	Helm,	Pentrack,	Tahl,
	Kolankiewicz,		Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 702, as follows:

An Act providing for powers responsibilities duties and limitations of the Governor Adjutant General Department of Military Affairs Pennsylvania State Armory Board Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth for the definition organization powers and limitations of the unorganized militia Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

#### Article I

##### Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as "The Military Code of 1949"

Section 102 Conformity with Federal Legislation It is the intent of this act that it shall be in conformity with

all acts and regulations of the United States affecting the same subjects and all provisions hereof shall be construed to effectuate this purpose

Section 103 Definition As used in this act the words "National Defense Act" shall be taken to mean the act of Congress entitled "An act for making further and more effectual provisions for the National Defense and for other purposes" approved the third day of June one thousand nine hundred sixteen its amendments and supplements

Section 104 Equality of treatment and opportunity Without regard to race creed color or national origin it is hereby declared to be the policy of the Commonwealth of Pennsylvania that there shall be equality of treatment and opportunity for all persons in the Pennsylvania National Guard the Pennsylvania Naval Militia Pennsylvania Naval Militia and the unorganized militia without regard to race creed color or national origin such policy shall be put into effect giving due regard to the powers of the federal government which are or may be exercised over all the militia of the Commonwealth and to the time required to effectuate changes without impairing the efficiency or morale of the militia

## Article II

### The Militia

Section 201 Composition The militia of the Commonwealth of Pennsylvania shall consist of all able-bodied male citizens of the United States and all other able-bodied males who are or shall have declared their intentions to become citizens of the United States residing within the State who are at least eighteen years of age and except as hereinafter provided not more than forty-five years of age and such other persons as may upon their own application be enlisted or commissioned therein

Section 202 Division of Militia The militia of this State shall be divided into three classes the Pennsylvania National Guard or during their absence under call or order in the service of the United States the Pennsylvania Guard the Naval Militia or during their absence under call or order in the service of the United States the Pennsylvania Naval Militia and the unorganized militia

Section 203 Unorganized Militia The unorganized militia shall consist of all persons liable to service in the militia who are not members of the Pennsylvania National Guard or Naval Militia and when organized the Pennsylvania Guard and Pennsylvania Naval Militia

Section 204 Enrollment of Militia Whenever in case of war or a national emergency exists and the legislature has so authorized the Governor may order an enrollment to be made of all persons liable to serve in the militia by volunteer or draft The enrollment shall be accomplished and exemptions from liability to perform militia duty shall be determined and established in accordance with rules and regulations to be prescribed by the Governor Any person required to perform any act under this section who neglects or refuses to properly perform said act shall be guilty of a misdemeanor When so enrolled the members shall be mustered into existing or new units and a record thereof made in the Department of Military Affairs The members so inducted shall be governed and disciplined according to the laws of the State and the United States and shall be entitled to all rights and privileges under the existing laws The provisions of this section shall in no way conflict with any Federal Selective Service or Draft Act in operation at the time

Section 205 Exemption From Militia Duty (a) The following persons shall be exempt from Militia duty (1) Persons exempt from militia duty by the laws of the United States

(2) Persons who shall have held the office of Governor or Lieutenant-Governor of the State

(3) Persons of the following description so long as they shall remain of said description

The Lieutenant-Governor

Secretary of the Commonwealth

Secretary of Internal Affairs

Secretary of Agriculture

Secretary of Banking

Secretary of Highways

Secretary of Property and Supplies

Secretary of Commerce

Secretary of Labor and Industry

Secretary of Forests and Waters

Secretary of Health

Secretary of Revenue

Secretary of Public Assistance

Secretary of Welfare

Secretary of Mines

Attorney General and Deputy Attorneys-General

Auditor General

State Treasurer

Insurance Commissioner

Superintendent of Public Instruction

Chairman Public Utility Commission

Chairman Liquor Control Board

Commissioner of Fisheries

Chairman Milk Control Board

Commissioner Pennsylvania State Police

Director Legislative Reference Bureau

Chairman State Civil Service Commission

Chairman Pennsylvania Board of Parole

The members of both houses of the General Assembly and the officers of said houses

The Justices and Clerks of the Supreme Superior Common Pleas Orphans' and other courts

Recorders of deeds

Mayors Commissioners Sheriffs Chiefs of Police Directors Heads of principal departments and divisions of city town county borough and township governments

Justices of the Peace

Ministers of the Gospel

Members of the Pennsylvania State Police

All persons who because of religious belief shall claim exemption from militia service if the conscientious holding of such belief for such person shall be established under the regulations prescribed by the Governor shall be exempted from militia service in a combatant capacity but no person so exempted shall be exempt from militia service in any capacity that the Governor shall declare to be noncombatant

(b) This section shall not be construed to prevent any person mentioned from voluntarily enlisting or accepting a commission in the militia

Section 206 Active State Duty The enrolled militia shall be subject to no active duty on State call except in case of war the invasion the prevention of invasion the suppression of riots and to aid civil officers in the execution of the laws of the Commonwealth in which cases the Governor shall order out for actual service as many of the enrolled militia as necessity demands This section is in no way to be construed as conflicting with the call or ordering of the Pennsylvania National Guard or the Naval Militia into the service of the United States under its dual capacity as part of the National Guard of the United States and Naval Forces of the United States respectively

Section 207 Penalty For Failure to Report For Duty Every member of the militia when enrolled by volunteer or draft who does not appear at the proper time and place for drill or instruction shall be liable to such punishment as a court martial may upon conviction determine and any member of the enrolled militia who fails to appear at the proper appointed place for active service when so ordered by proper authority shall be liable to such punishment as a general court martial may upon his conviction determine

Section 208 United States Laws Apply to Militia All acts of the Congress of the United States regulations issued thereunder the articles of war forms precedents customs and usages relating to and governing the army

of the United States the United States Navy and the militia shall in so far as the same are applicable and not inconsistent with the Constitution of this State apply to and govern the militia of this State

Section 209 Rules for drafting militia officers compensation the Governor be and is hereby authorized to form adopt and prescribe such rules and regulations and appoint such officers and fix their compensation for the purpose of drafting the militia when such process may be required as to him may seem best and most expedient in the premises

Section 210 Command and Coordination When Various Components of the Organized Militia are Ordered into Active State Service at the Same Time

(a) Whenever the various military and naval forces of the Commonwealth are ordered into active State service at the same time by the Governor the senior officer of the Pennsylvania National Guard shall be in command of the forces so ordered When the Pennsylvania National Guard and the Naval Militia are absent due to a call or order into the service of the United States the senior officer of the line of the Pennsylvania Guard shall command all the State military and naval forces on active State duty

(b) When State armed military or naval forces are ordered on active State duty by the Governor upon request of county city borough or township authorities the military commander as provided in subsection (a) hereof shall have command of all civilian State and other political division law enforcement bodies in the affected area The various civilian law enforcement groups thus included in the overall command shall issue the orders of the commander to the personnel and organizations under their respective jurisdiction

### Article III

#### The Governor as Commander-In-Chief

Section 301 The Governor of this Commonwealth as Commander-In-Chief shall have the powers enumerated hereafter in this act over the armed military and naval forces of the Commonwealth The armed forces shall be the Pennsylvania National Guard when not under call or order by the President of the United States and when organized the Naval Militia Pennsylvania Guard and the Pennsylvania Naval Militia

Section 302 Acceptance of Quota Pennsylvania National Guard The Governor is hereby authorized and directed to accept for the Commonwealth allotments of troops and their apportionment to the various arms services departments corps or staff proposed by the Department of the Army for the Pennsylvania National Guard and the National Guard of the United States as he may in his discretion deem proper for the Commonwealth to accept consistent with available manpower and the requirements for the internal security of the Commonwealth and National Defense

Section 303 State Obligation Pennsylvania National Guard The Governor is hereby authorized and directed to assume the obligation of carrying out the training requirement set forth under the National Defense Act for the Pennsylvania National Guard This training function is hereby delegated and becomes the responsibility of the normal channels of command in the Pennsylvania National Guard He is further authorized and hereby directed to furnish suitable shelter for personnel and suitable storage facilities for Federal property issued for use of the Pennsylvania National Guard for that part of the accepted quota of troops deemed necessary by him for the internal security of the Commonwealth Allotment of troops above the aforementioned restriction will be furnished suitable shelter and suitable storage facilities for their Federal property when available The Department of Military Affairs will account in the prescribed manner for all Federal funds apportioned and all property provided for the maintenance of the Pennsylvania National Guard

Section 304 Quota Naval Militia To assure the internal security of the Commonwealth and in conjunction with National Defense policy the Governor in his discretion may accept a quota of Naval Militia for the Commonwealth from the Department of the Navy The Governor is authorized to assume the obligation and responsibilities for the training sheltering protection of Federal property and the accounting for funds and property as provided for by the laws of the United States and the rules and regulations promulgated under these laws by the Department of the Navy with the same restrictions and powers of delegation as hereinbefore contained for the Pennsylvania National Guard

Section 305 Location of Military and Naval Units The Governor is hereby authorized and directed to establish the permanent location within the boundaries of the Commonwealth of any assigned authorized organizations or units of the Pennsylvania National Guard and the National Guard of the United States and the Naval Militia allotted to the Commonwealth by the Department of the Army and the Department of the Navy respectively

Section 306 Change in Organization Pennsylvania National Guard The Governor is hereby authorized and directed to alter increase divide annex consolidate disband organize or reorganize any organization unit department corps arm service or staff so as to conform as far as practicable to any arm service organization system drill instruction corps or staff uniform or equipment period of enlistment or qualification and term for commission now or hereafter prescribed by the laws of the United States and the rules and regulations promulgated thereunder for the organization and regulation of the National Guard and Naval Militia

Section 307 Organization of Pennsylvania Guard Whenever the Pennsylvania National Guard or any part thereof shall be called or ordered into the service of the United States during any war or other emergency thereupon the Governor shall have the authority and power to organize an armed land force for the defense of the Commonwealth during said war or emergency for the defense of civil population against air gas attack and invasion which shall be known and designated as the Pennsylvania Guard The Governor is further empowered to comply with the laws of the United States and the rules and regulations promulgated thereunder for the organization maintenance and functioning of this force The Governor is further authorized and directed to organize at any time in his discretion a cadre system of Pennsylvania Guard personnel for the purpose of planning and to assure the maximum use of available trained manpower upon the order or call of the whole or any part of the Pennsylvania National Guard into the service of the United States

Section 308 Organization of Pennsylvania Naval Militia In time of war or other emergency during the absence of a Naval Militia or the order or call of the Naval Militia or any part thereof into the service of the United States the Governor is hereby authorized and directed for the purpose of protecting and defending the lakes harbors rivers and waterways of the Commonwealth to organize as may be consistent with the situation an armed naval force hereafter known as the Pennsylvania Naval Militia Further the Governor is empowered to comply with the laws of the United States and the rules and regulations promulgated thereunder for the organization maintenance and functioning of this force The organization authorized shall be formed in accordance with best naval policy and tradition Further the Governor is authorized to bestow naval rank and rating suitable and consistent with the size of the authorized organization

Section 309 Increased Land Force of the Commonwealth The Governor shall have power in case of war disaster invasion insurrection riot or imminent danger thereof to increase the land forces of this Commonwealth and organize the same in accordance with the existing rules and regulations governing the armies of the United

States as the exigency of the occasion may require and such organization and increase may be either pursuant to or in advance of any call made by the President

**Section 310 Draft of Unorganized Militia** The Governor shall have the power to order out for actual service with the armed forces of the Commonwealth by draft or otherwise as many of the militia as necessity demands during a war or other emergency The Governor is hereby authorized to form adopt and prescribe such rules and regulations and appoint such officers and civilian boards and fix their compensation for the purpose of drafting the militia when such process may be required and seem best and most expedient for the premises Any such rules or regulations shall not conflict with Federal Selective Service Act or National Draft Act in effect at the time

**Section 311 Active State Duty** The Governor may in his discretion place the Pennsylvania National Guard or the Naval Militia or any part thereof or when unavailable due to call or order into the service of the United States the Pennsylvania Guard or the Pennsylvania Naval Militia or any part thereof on active duty when an invasion of the State or an air attack on the State or an insurrection in the State occurs or is threatened or when tumult riot or disaster shall exist or in imminence thereof The word "disaster" as used in this act shall be construed to include only flood cyclone earthquake or similar calamity caused by forces beyond the control of man

**Section 312 Coordination with Adjacent States** The Governor shall have the power and is hereby authorized and directed to confer with the Governors or proper authorities of adjacent states for the purpose of coordinating and providing for the mutual defense and protection of interstate railroad foot vehicular bridges tunnels and fords and for the exchange of authority where deemed necessary and expedient for the use of the armed forces of the Commonwealth in these other states and the employment of their armed forces within the boundaries of this Commonwealth This power may be delegated to the Adjutant General of the State of Pennsylvania

**Section 313 Promulgation of Regulations and Rules** The Governor shall have the power and is hereby authorized and directed to make and publish such rules and regulations from time to time as he may deem expedient for the government regulation assignment and instruction of the armed military and naval forces of the Commonwealth but such regulation shall conform to this act and other laws of the Commonwealth applicable to said forces and as nearly as practicable to those governing similar Federal armed military and naval forces They shall have the same force and effect as the provisions of this act and other acts affecting these forces

**Section 314 Flags Standards Guidons** The Governor as Commander-in-Chief is hereby authorized to procure and issue from time to time to the Pennsylvania National Guard Naval Militia Pennsylvania Guard Pennsylvania Naval Militia such flags standards and guidons as may be necessary which shall conform with National Guard regulations and Army regulations promulgated pursuant to the terms and provisions of the National Defense Act

**Section 315 Publication of this Act** The Governor is hereby authorized and directed to publish this act together with other acts or extracts of acts particularly applicable to the military and naval forces of the State but not included in this act for the convenience and guidance of all concerned He is further authorized to revise and republish revised editions from time to time as he may deem necessary

**Section 316 Military Advisory Commission** The Governor is hereby authorized to appoint a commission known as the Military Advisory Commission of not to exceed six persons both military and civilian for the purpose of investigating studying advising and recommending on all matters affecting the military and naval forces of the

Commonwealth and the internal security of the State The Adjutant General shall be one of the six members of this commission

The commission shall elect from among its members a chairman and a secretary

#### Article IV

##### Department of Military Affairs

**Section 401 Overall Powers of Department** The Department of Military Affairs shall subject to any inconsistent provisions in this act and in the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) known as the Administrative Code of 1929 and its amendments continue to exercise the powers and perform the duties by law vested in and imposed upon the Adjutant General the Adjutant General's Department the several former bureaus thereof and the Department of Military Affairs

**Section 402 Duties of Department** The Department of Military Affairs shall have the power and its duty shall be

(1) To distribute all orders from the Commander-in-Chief and perform such other duties as the Commander-in-Chief shall direct

(2) To perform such duties and employ the power delegated to the department and the State Adjutant General by the laws of the United States and the rules and regulations promulgated thereunder

(3) To be an office of permanent record for all personal papers documents and forms pertaining to the Pennsylvania National Guard and the National Guard of the United States and the Naval Militia except where the laws of the United States require certain papers documents or forms to be kept permanently in the National Guard Bureau or other department or section of the Department of the Army or Department of the Navy as the case may be To be an office of permanent record for personnel papers documents and forms pertaining to the Pennsylvania Guard and Pennsylvania Naval Militia

(4) To procure from the proper agency department arm or service of the Department of the Army or the Department of the Navy individual and organizational equipment property and allowances and publications authorized by Tables of Organization and Equipment and Allowance store and issue to the organizations units of the Pennsylvania National Guard and the National Guard of the United States and the Naval Militia in accordance with the aforementioned tables of authorization and when so issued to keep in its custody all books receipts and accounts pertaining thereto as required by law To cause the Pennsylvania National Guard and the National Guard of the United States and the Naval Militia to make returns periodically as required by law or regulation of their property vehicles arms uniforms accoutrements and ammunition and in turn make any required consolidated report on these matters to the Secretary of the Army through the National Guard Bureau

(5) To keep in its custody all books and accounts of military property of the Commonwealth issued to the armed military and naval forces of the Commonwealth and to safely and properly store such property when not issued

(6) To pay the troops and make all other disbursements authorized by law by requisition presented to the Auditor General in the usual way

(7) To supply all officers organizations and units publications of laws regulations and rules prescribed for use of the military and naval forces of the Commonwealth

(8) With the approval of the Governor as Commander-in-Chief to sell or exchange from time to time such military stores belonging to the Commonwealth as are found to be unserviceable or in state of decay or which it may be deemed for the best interest of the Commonwealth to sell or exchange but if the department is unable to obtain a bid for the property it may be demolished or destroyed The destruction of the property shall be

witnessed by three disinterested officers of the Pennsylvania National Guard or when organized Pennsylvania Guard Naval Militia or Pennsylvania Militia and their certificate shall constitute proper authority to issue a voucher for marking off the property. All moneys received for stores so sold shall be paid into the State Treasury through the Department of Revenue.

(9) To audit and adjust all claims incident to the organization training discipline maintenance and service of the Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia other than fixed allowances and to pay such claims when audited and adjusted but all claims paid thereunder shall be subject to audit by the Department of the Auditor General.

(10) Subject to the approval of the Governor as Commander-in-Chief to procure and issue from time to time to the Pennsylvania National Guard Pennsylvania Guard and Naval Militia such flags standards and guidons as may be necessary which shall however as far as practical be similar in style to those of the United States Army.

(11) To appoint a board of not less than three commissioned officers of the Pennsylvania National Guard for the purpose of investigating claims for damages based on injuries to persons or damages to property arising out of accident or negligence and incident to the organization training discipline maintenance and service of the Pennsylvania National Guard and upon the recommendation of the board so appointed to adjust and pay such claims for damages. Provided however That each such claim shall be in an amount not exceeding two hundred and fifty dollars. And provided further however That all claims paid hereunder shall be subject to audit by the Department of the Auditor General. And provided further however That no claim shall be paid under the provisions of this paragraph when such claim has arisen from the operation of State owned or Federally owned automobiles when operated by State officers or employes or officers and enlisted men of the Pennsylvania National Guard.

(12) To establish rules governing the filing of claims for pensions made under and by virtue of the laws of this Commonwealth to investigate all circumstances connected with the death of a soldier whose death is the basis of a claim for a pension subject to audit by the Department of the Auditor General to determine the amount of relief payable to any officer or enlisted man of the Pennsylvania National Guard who is wounded or otherwise disabled while doing duty in active service of the State on satisfactory evidence submitted or obtained to grant such pensions as may now or hereafter be provided by law and issue its requestion to the Auditor General who after auditing the same in the usual way shall draw such warrants upon the State Treasurer therefor to the order of the pensioner as may now or hereafter be provided by law.

(13) The Department of Military Affairs shall have the power to issue arms and accoutrements which are the property of this Commonwealth to any essential military college or school where officers of the regular army are detailed as instructors or organizations of veterans of any wars in which the United States has been engaged under such terms and conditions as may now or hereafter be provided by law. For the return of any arms and accoutrements issued hereunder the school or organization borrowing the same shall give bond in such amount as the Adjutant General shall determine.

(14) To select and make arrangements for ground to be set apart in some historic spot in the Commonwealth as an appropriate space for use as a cemetery for the burial of the bodies of soldiers sailors marines and war nurses who served in the Army or Navy of the United States during times of war who died while in active service or after an honorable discharge and who entered such service while residents of Pennsylvania who died while members of the National Guard or after an honorable discharge therefrom on behalf of the Common-

wealth to accept the dedication of any lands in a historic spot for use as such a cemetery and when any such cemetery shall be located and established to maintain and regulate the same and for that purpose to adopt rules and regulations to regulate burials therein of the bodies of persons entitled to be buried therein as provided in this section.

Section 403 Administration and Supply and Supervisory Duties Over Armed Military and Naval Forces. The Department of Military Affairs shall be specifically responsible for the administration and supply both Federal and State of the armed military and naval forces of the Commonwealth and further shall have general supervisory function of all matters pertaining to the military and naval forces of the Commonwealth and shall make periodic reports as required by law or requested by the Governor the Department of the Army and the Department of the Navy concerning these matters and the condition and state of the readiness of the military and naval forces of the Commonwealth.

#### Article V

##### The Adjutant General

Section 501 The Adjutant General Head of Department Duties Responsibilities. The Adjutant General as head of the Department of Military Affairs is responsible to the Commonwealth and to the Governor for the organization and functioning of said department and the performance and carrying out of all the duties powers and responsibilities given or delegated to the department by law. In addition he is hereby authorized and directed to

(1) Maintain an office through which correspondence on military and naval affairs between the Commonwealth and the Federal Government will be conducted including that pertaining to funds and properly issued by the Federal Government for organization of the Pennsylvania National Guard Naval Militia Pennsylvania Guard and Pennsylvania Naval Militia.

(2) Maintain all military records until transfer to Pennsylvania Archives or where so directed to proper Federal department.

(3) Maintain historical outlines and permanent historical records of organizations of the Pennsylvania National Guard Naval Militia Pennsylvania Guard and Pennsylvania Naval Militia.

(4) Maintain armories arsenals military reservations and all property and equipment intended to be taken into the field by troops.

(5) Obtain and issue medals in accordance with this code and regulations promulgated thereunder. To prepare all citations when required and make arrangements for the proper presentation of decoration medal or award.

(6) Convene boards of officers to consider and make recommendations upon such matters as may be referred to them including major changes in policy or new policies regulations locations relocations and redesignation of units and similar questions.

(7) Have published annually in book or pamphlet form a list of active and retired members of the Pennsylvania National Guard with name rank organization date of appointment date of retirement and home address.

(8) Enforce the approved policies of the Governor.

Section 502 Subsistence and Quartermaster Stores. The necessary subsistence and quartermaster stores and expenses incident to any active service including the transportation of troops may be contracted for under direction of the Governor as Commander-in-Chief by the Adjutant General or any other officer designated for that purpose and paid for in the usual manner except when such active service is under the orders of the Department of the Army or Department of the Navy when subsistence quartermasters' stores and other expenses incident to any active service including transportation will be furnished by the Federal Government.

Section 503 Payment of Emergency Expenses. When the Pennsylvania National Guard or any portion thereof is

ordered on active duty by the Governor as Commander-in-Chief in repelling invasion subduing insurrection riot or disorder or in case of disaster within the State or in the prevention thereof the payment of the troops and all other expenses incident to such services will be made by the Adjutant General from funds obtained by warrant drawn by the Governor of the Commonwealth upon the State Treasurer against an appropriation made for such purpose and if the Pennsylvania National Guard or any portion thereof or the Naval Militia shall be called into the active service of the United States by the President all necessary expenses incident to the mobilization of the Pennsylvania National Guard or any portion thereof under such call excluding per diem pay shall be paid by the Adjutant General from funds obtained in like manner except when such expenses are paid by the Federal Government The necessary transportation subsistence and quartermaster stores and the necessary expenses incident to such active duty within the State or mobilization under the call of the President may be contracted for under direction of the Governor as Commander-in-Chief by the Adjutant General or other officer or officers designated for that purpose and the same shall be paid for by the Adjutant General from funds obtained by warrant drawn by the Governor of the Commonwealth upon the State Treasurer against an appropriation made for such purpose except when such expenses are paid by the Federal Government

Section 504 Caretakers and Administrative Assistants The Adjutant General shall approve all appointments of Federal caretakers and administrative assistants authorized by the laws of the United States to care for Federal property and assist in the administration of the Pennsylvania National Guard respectively The appointment of personnel falling in these two categories will not be made without meeting all the requirements and qualifications imposed by the Government of the United States

Section 505 The responsibility of requisitioning procurement storage and issue of Federal property arms and equipment for use of the Pennsylvania National Guard may be delegated to the regularly appointed United States Property and Disbursing Officer assigned to the Commonwealth of Pennsylvania

Section 506 Increase in Headquarters and Headquarters Detachment Pennsylvania National Guard With the approval of the Governor the Adjutant General may augment the regularly authorized Headquarters and Headquarters Detachment of the Pennsylvania National Guard with qualified personnel in the following categories

- Retired Pennsylvania National Guard
- Inactive Pennsylvania National Guard
- Pennsylvania Guard
- Pennsylvania Naval Militia
- Retired Officer any Federal armed service

Personnel so appointed shall be assigned by the Governor and shall have all the rights privileges and responsibilities under the Military Code granted military and naval personnel and will take rank according to date of commission Officers warrant officers and enlisted men thus appointed will not be entitled to pay and allowances for drill or instruction periods but will be entitled to regular expenses as authorized when performing official duties away from home stations Provided further that when called into active State service they will be entitled to the pay and allowances of grade and years of service for such service Payment to be made by the Adjutant General in the regular manner

During the absence of the Federally recognized Headquarters and Headquarters Pennsylvania National Guard under call or order in the service of the United States the Adjutant General is authorized to form a State Staff and Detachment of the Pennsylvania Guard to carry out the duties and responsibilities of department in connection with the military and naval forces of the Commonwealth

Section 507 The Adjutant General is authorized to expend not to exceed five thousand dollars (\$5000) annually

for the housing feeding and entertainment of distinguished military guests who visit the Commonwealth on official military business Payment shall be made by the State Treasurer in the normal manner upon submission of proper voucher by the Adjutant General

#### Article VI

##### Pennsylvania State Armory Board

Section 601 Duties General The Pennsylvania State Armory Board subject to any inconsistent provisions of this act contained shall continue to exercise the powers and perform the duties by law vested in the said board It shall provide equip maintain manage and regulate armories within the limits of this Commonwealth for the use of the Pennsylvania National Guard Naval Militia and when organized the Pennsylvania Guard and the Pennsylvania Naval Militia as may now or hereafter be provided by law and may with the approval of the Governor accept gifts of land with or without buildings therein to be used for military purposes The title to all such land shall be taken in the name of the Commonwealth It may also employ funds appropriated to it for the purpose to purchase for armory purposes any suitable buildings erected by any person or persons The board may also with the approval of the Governor sell any buildings or armory sites which are no longer being used for military or naval purposes

Section 602 Erection of Armories The Armory Board as appointed is hereby empowered and directed to erect or provide anywhere within the limits of this Commonwealth upon such terms and conditions as shall be decided upon by said Armory Board as most advantageous to the Commonwealth armories for the use of the Pennsylvania National Guard which armories shall be used for drill meeting and rendezvous purposes by the organization of the Pennsylvania National Guard and when organized the Pennsylvania Guard and Pennsylvania Naval Militia occupying same and in which shall be stored and safely kept all property of the United States or of the Commonwealth issued to such organization for military purposes

Section 603 Armory Management The Armory Board hereby appointed shall also constitute a board for the general management and care of said armories when established and shall have the power to adopt and prescribe rules and regulations for their management and government and formulate such rules for the guidance of the organization occupying them as may be necessary and desirable

Section 604 Definition of Naval Armory The word "Armory" as used for Naval Militia and Pennsylvania Naval Militia shall be held to include a vessel anchored moored or secured to the land while used only as an armory for the purpose of instruction drill or defense

Section 605 Purchase of Ground The Armory Board shall have full authority to purchase ground in the various localities throughout the Commonwealth where it shall be deemed necessary to provide armories said ground in each instance to be purchased in the name and for the use of the Commonwealth of Pennsylvania and upon the ground so purchased the Armory Board is authorized and directed to erect for the use of such company battery troop battalion or regimental organization an armory to be used for meeting rendezvous and drill purposes and in which shall be stored the ordnance-stores quartermaster-stores and other property issued to the organization occupying said armory When such armory or armories are erected or provided the said Armory Board shall have charge thereof and arrange for its occupancy and use under the direction and responsibility of the senior officer in command of such company battery troop battalion or regimental organization

Section 606 Donation by Other Political Divisions It shall be lawful for any county city borough town or township to acquire by purchase or by gift or by the right of eminent domain any land for the use of the Pennsylvania

National Guard and to convey such lands so acquired to the Commonwealth of Pennsylvania to assist the Armory Board in the erection of armories The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is now provided by law for the Condemnation of lands for public purposes in counties cities boroughs towns and townships

**Section 607 Limitation on Eminent Domain** The power conferred by this act shall not be exercised to take any church property graveyard cemetery or any dwelling-house or the curtilage of the same in the actual occupancy of the owner

**Section 608 Funds From Other Political Divisions** Any county city town borough or other municipal division of this Commonwealth is hereby authorized and empowered either independently or in connection with any other county city town borough or municipal division of this Commonwealth to provide and appropriate moneys or convey land to the Commonwealth of Pennsylvania to assist the Armory Board of the State of Pennsylvania in the erection wherever deemed most advantageous by the said Armory Board of the State of Pennsylvania of armories for the use of the Pennsylvania National Guard and to furnish water light or fuel either or all free of cost to the Commonwealth of Pennsylvania for use in any armory of the National Guard and to do all things necessary to accomplish the purpose of this act

**Section 609 Armory Board Power To Receive Funds** Such Armory Board shall have power to receive from counties cities and boroughs townships or other municipalities or other sources donations of land or contributions of money to aid in providing or erecting armories throughout the Commonwealth for the use of the Pennsylvania National Guard and which shall be held as other property for the use of the Commonwealth of Pennsylvania and such counties cities boroughs townships or other municipalities are hereby authorized to make such donations or contributions for the purpose of this act

**Section 610 Acquiring Real Estate For Public Use** That the Pennsylvania State Armory Board be and is hereby empowered whenever it shall be by them deemed necessary to perfect the title of real estate acquired by them for the purpose of the erection of an armory or when the site acquired is insufficient in size to construct said armory and when said real estate so acquired shall join and abut a piece of real estate which has been dedicated to public use as a public highway but has never been opened as or used for the purpose for which it was dedicated to take said real estate or such portion thereof as may be necessary for public use Provided That the consent of the municipal authorities in the city town or borough township or other municipality in which said real estate is situated be first secured

**Section 611 Court Action Before the taking of said land as aforesaid** the said Armory Board shall present its petition to the court of common pleas in and for the county in which said real estate is situated setting forth the facts and reciting the consent obtained from the municipal authorities where said land is located whereupon the said court of common pleas shall appoint three discreet and disinterested freeholders of said county as viewers and appoint a time not less than twenty nor more than thirty days thereafter for said viewers to meet at and upon the real estate aforesaid for the purpose of determining the fair value of all the singular the estates or interests in the land so proposed to be taken for the use of the Commonwealth of Pennsylvania as aforesaid and shall designate the several owners thereof as far as the same can by them be reasonably ascertained and shall report the same to said court and their award shall be subject to appeal and confirmation The report of said viewers or any two of them being filed in said court either party within thirty days thereafter may file his her or its or their appeal from said re-

port to said court and the same shall then be tried by the said court and a jury and after final judgment either party may have a writ of error

**Section 612 Payment for Land Acquired On Court Action** Upon the confirmation of the report or judgment upon a verdict in case of appeal and the payment of the sum of money so awarded to the parties entitled thereto or where the several owners of easement interest therein cannot be readily ascertained are unknown or live without the jurisdiction of said court then by the payment of said sum of money or award into the court of common pleas for the use of such person or persons as may be entitled thereto the title to the lands and estates or other interests therein thus paid for shall become vested in fee in the Commonwealth of Pennsylvania and an exemplification of the record of said court in the premises shall be the proper and sufficient evidence Provided however That the consent of the municipal authorities as aforesaid shall be a waiver of all rights of the same to damages or compensation for said taking And providing That where the lands proposed to be taken as aforesaid are situated in any town or city having more than ten thousand inhabitants the viewers contemplated by this act shall be residents of such town or city

**Section 613 Viewers Service of notice of the meeting of viewers aforesaid upon any person not known or not residing within the jurisdiction of said court shall be had by publication in a newspaper of general circulation published in the city town or borough township or other municipality in which said real estate is situated once a week for two consecutive weeks and a proof of such publication shall be a proof of service of the notice upon all parties owning an interest in said real estate who are not otherwise served personally**

**Section 614 Donated Land Not Usable Whenever any person shall have conveyed to the Commonwealth any land as a site for the erection thereon of an armory and the Armory Board shall decide that such land so conveyed is not available and cannot be used for the purpose for which it was intended when so conveyed the said Armory Board may by resolution authorize the Adjutant General of the Commonwealth to execute a deed for the transfer of the said land for nominal consideration to the person who conveyed the same to the Commonwealth or in case of his death to the personal representative of the estate of such grantor which deed when approved by the Attorney General shall vest a fee simple title to such land in such grantor or in his estate in case of his death**

**Section 615 Sale of Useless Armories Deeds Whenever in the opinion of the Governor Auditor General and Adjutant General any armory owned by the Commonwealth is no longer available for military services due to change in population or to the needs of the military service they may sell such armory at either public or private sale for the best price obtainable and shall give deed thereto in the name of the Commonwealth of Pennsylvania Such deed shall be prepared and approved by the Attorney General and shall divest all the title and interest of the Commonwealth**

**Section 616 Proceeds Not to Be Returned to Contributors Exceptions Use of Money Appropriation** No part of the money derived from such sale shall be returned to any municipality or private person or organization who or which contributed towards the establishment of such armory Provided That should a new armory built from proceeds of such sale be erected in a municipality other than the armory sold was located the amount contributed by the municipality towards the erection of the armory so sold shall be returned to the municipality The whole or balance of such money shall be paid into the State Treasury and shall be used only for the purchase of a site or the erection of an armory or both at the nearest practicable point to the site of the armory sold Such purchases shall be made and such work done by the Armory Board under the provisions of

existing law For such purposes all of such moneys are hereby specifically appropriated to the Armory Board

**Section 617 Armory Rent** The annual rental of all armories and buildings not owned by the Commonwealth and occupied by any organization shall be paid by the State Treasurer upon requisition by the Department of Property and Supplies in the manner provided by law All payments for light heat water and janitor services in rented armories and buildings shall be made by the Department of Military Affairs upon properly itemized vouchers except where such services are furnished by the landlord under the rental contract

**Section 618 Property of a Permanent Nature Located on Armories** When units or organizations of the Pennsylvania National Guard are called or ordered into the service of the United States all furniture permanent property and equipment located in their respective armories purchased from State county municipal or township funds or when donated to the unit organization from private sources will be left in the armory and will be taken into custody by the local Armory Board in the name of the State Armory Board and may be used by organizations and units of other military and naval forces of the Commonwealth officially assigned to said armory until such time as the Pennsylvania National Guard unit or organization returns If upon the reorganization of the Pennsylvania National Guard following a war emergency the organization is not reorganized or is assigned to another location within the State then the property in question becomes the property of the State to assign re-assign and dispose of as the Pennsylvania State Armory Board may decide or direct

#### Article VII

##### State Military Reservation Commission

**Section 701 Duties** The State Military Reservation Commission shall have the power and its duty shall be to consider any matters upon which the Department of Military Affairs may ask its advice and to investigate and study the conditions of any State military reservation and make recommendations to the department for the maintenance and improvement thereof

**Section 702 Composition** The State Military Reservation Commission shall consist of the Governor the Adjutant General the Commanding General of the Pennsylvania National Guard Division the Commanding General of the Pennsylvania National Guard non-divisional troops members of the Governor's Military Advisory Commission and two other civilian members appointed by the Governor The commission shall elect from among its members a chairman and a secretary

#### Article VIII

##### Pennsylvania National Guard

**Section 801 Peacetime Armed Land Force** The organized armed land forces of the Commonwealth of Pennsylvania during time of peace shall be and constitute the National Guard thereof styled the Pennsylvania National Guard and shall be subject at all times to the orders of the officers thereof Nothing in this article shall be construed to prevent the Governor as Commander-in-Chief at his discretion to form cadres of authorized war time organizations for the purpose of pre-planning

**Section 802 Definition** The word "company" shall apply to and indicate the infantry cavalry artillery armored force engineer signal medical ordnance air force special services and general staff units corresponding in general organization to a company of infantry The words "regiment" and "battalion" shall apply to any organization of any arm or service equal in organization to a regiment or battalion of infantry as the case may be or so designated by law

**Section 803 Composition of the National Guard** The National Guard of this Commonwealth shall consist of such troops as may under the act of Congress be pre-

scribed by the President of the United States as the portion of the National Guard of the United States apportioned and assigned to the Commonwealth of Pennsylvania The troops of the Pennsylvania National Guard shall be organized according to the tables of organization of the Army of the United States

**Section 804 Increase in Organizations** Should at any time the total number of enlisted men allotted as the strength of the Pennsylvania National Guard under and pursuant to the provisions of the National Defense Act and all acts of Congress amendatory thereof and supplementary thereto exceed the number required to complete the organizations hereinbefore provided for at their proper numerical strength then and in such case the Governor as Commander-in-Chief shall have the power and is hereby authorized and directed to prescribe in orders for the organization of any and all such additional units as may be required to conform as far as practicable to the requirements for the Pennsylvania National Guard under the laws of the United States and to form the same into battalions regiments brigades and divisions as the total numerical strength may require

**Section 805 Composition of Units** The composition of all units of the Pennsylvania National Guard including the commissioned and enlisted personnel thereof other than those specifically provided for in this act shall be fixed from time to time by the Governor as Commander-in-Chief and announced in general orders and shall as far as practicable be in accordance and in compliance with such regulations as may be promulgated by the Secretary of the Army for the composition of the National Guard Every such order shall have the same force and effect as if specifically enacted and provided for by statute

**Section 806 Powers of a Division Commander** A general officer of the Pennsylvania National Guard commanding a division or non-divisional organizations and units equivalent to a division shall have all the power and authority of a major general under the rules and regulations prescribed or hereafter to be prescribed for the government of the armies of the United States subject to the orders and direction of the Governor as Commander-in-Chief A division commander or commanding general non-divisional unit shall be responsible for the training discipline administration and efficiency of the divisions or non-division troops under his command and of any troops attached thereto He shall be responsible for making recommendations to the Adjutant General appointment and promotion of officers and shall cause such inspections investigations and reports to be made for the troops under his command as may be required by higher authority He shall appoint such boards and courts-martial as may be required and authorized He may with the consent of the Adjutant General order to active duty such officers and employ such clerical and other force as may be required as his headquarters The officers clerical and other forces on duty at a division headquarters shall be paid by the Adjutant General at rates of compensation as may be deemed by the Commander-in-Chief just and proper This section also applies to general officers of the Pennsylvania Guard when organized

**Section 807 Necessary Expenses of Headquarters** (a) The necessary military expenses of division brigade regimental and separate battalion or similar headquarters including clerk hire and other actual outlays but not including compensation for officers on permanent active duty shall be paid in the usual manner on the usual lawful vouchers to that effect certified or approved by the commanding officer or the officer charged with the payment of the same such annual expenses except as hereinafter provided in no event to exceed

Ten thousand dollars (\$10,000) for a State Staff

Ten thousand dollars (\$10,000) for a Division Headquarters

Five thousand dollars (\$5000) for an Anti-Aircraft Artillery Brigade

Five thousand dollars (\$5000) for an Air Wing National Guard

Three thousand dollars (\$3000) for a Regimental Headquarters to include travel and other expenses of battalions and separate units attached to Regiments

One thousand dollars (\$1000) for a Headquarters Field Artillery Brigade

One thousand dollars (\$1000) for a Headquarters of each separate battalion

Two thousand dollars (\$2000) for Headquarters Corp Field Artillery

One thousand dollars (\$1000) for Headquarters Cavalry Reconnaissance Squadron

Five hundred dollars (\$500) for each Headquarters AA Searchlight Battalion

Seven hundred fifty dollars (\$750) for each Headquarters Anti-Aircraft Artillery Group Artillery Group or any other Group Headquarters

Two hundred fifty dollars (\$250) for Headquarters Aircraft Control and Warning Group

Two hundred fifty dollars (\$250) for Headquarters Aircraft Control Squadron

Two hundred fifty dollars (\$250) for Headquarters Aircraft Communication Squadron

Two hundred fifty dollars (\$250) for Headquarters Light Bombardment Group

Two hundred fifty dollars (\$250) for Headquarters Light Bombardment Squadron

Two hundred fifty dollars (\$250) for Headquarters Engineer Aviation Battalion

Two hundred fifty dollars (\$250) for Headquarters Fighter Group

(b) The Adjutant General shall publish to all organizations a list of authorized expenditures and his decision as to whether any item shall be properly chargeable against these funds shall be final. This section also applies to Pennsylvania Guard and Naval Militia and Pennsylvania Naval Militia when organized

Section 808 Annual Appropriations Companies troops batteries detachments or similar organizations of the Pennsylvania National Guard except those of the Air Corps found upon examination of the reports made by an inspecting officer duly detailed for that purpose to be up to the standard requirements in strength discipline and efficiency shall receive an annual allowance the following money per annum which shall be used and expended solely for military purposes and for the use and benefit of the organization. For all troops at the rate of ten dollars (\$10) per man per year. Provided That no company troop battery detachment or similar organization shall receive more than a maximum sum of one thousand dollars (\$1000) per year regardless of the actual strength of the organization. And provided That no company troop battery detachment or similar organization shall receive less than a minimum of two hundred dollars (\$200) per year. Such allowances shall be computed by the Adjutant General from the actual strength of the unit as of June first of each year. Newly organized units shall receive a pro rata share of the above named allowance for the portion of the fiscal year based on the actual strength of the organization at the time of its entrance into the service. The said allowances shall be paid in the usual manner on the usual lawful vouchers to that effect certified or approved by the unit and regimental or similar commander but it shall be the duty of the Adjutant General before paying any of the said allowance to procure by purchase or otherwise and issue for each enlisted man not already provided therewith such articles of uniform supplies and equipment as are required for field service not furnished and paid for out of Federal funds and charge the cost of the same to the said annual allowance and the balance if any to be paid and disbursed as hereinafter provided. Provided however That any regiment battalion squadron or company may at its own ex-

pense provide itself with other uniforms of such style and pattern as a majority of its officers may select and the Governor as Commander-in-Chief approve which uniform shall be the property of the organization or the individual members thereof. No portion of any allowance made by the Commonwealth to any organization shall be expended in procuring such special uniform or in repairing or caring for the same. No part of the annual allowances paid under the provisions of this act to the several organizations of the Pennsylvania National Guard shall be used in the purchase erection or construction of any armory unless the title thereto be vested in the Commonwealth. The Adjutant General shall publish and distribute to all organizations a list of authorized expenditures and his decision as to whether any item shall be properly chargeable against these funds shall be final. This section also applies to Pennsylvania Guard Naval Militia and Pennsylvania Naval Militia when organized

Section 809 Methods of Settling Accounts Every account before making payment shall be approved by the officer ordering the purchase or directing the rendering of service showing that the same is correct as to price that the articles were furnished or services rendered on his order and supplied as charged

Section 810 Disbandment of Companies If it appears to the Governor as Commander-in-Chief that a company of the Pennsylvania National Guard has failed to comply with the requirements of the law in matters of uniform equipment discipline or efficiency so that it cannot discharge the duties required of it such company may be disbanded by the Governor who as Commander-in-Chief may disband any company if in his judgment the interests of the service justify it subject to the restrictions of the National Defense Act or amendments thereto

Section 811 Retention of Ancient Privileges Any corps of artillery cavalry or infantry existing in this State on the passage of the act of Congress of May eighth seventeen hundred and ninety-two which by the laws customs or usages of this State has been in continuous existence since the passage of said act shall be allowed to retain its ancient privileges subject nevertheless to all duties required by law of the militia. Provided That said organizations may be a part of the Pennsylvania National Guard and entitled to all the privileges thereof and shall conform in all respects except as to cornets to the organization discipline and training of the National Guard in time of war. Provided further That for the purpose of training and when an active duty in the service of the United States they may be assigned to higher units as the Governor may direct and shall be subject to the orders of officers under whom they shall be serving

Section 812 Appointment of Commissioned Officers All commissioned officers shall be appointed by the Governor and be commissioned according to the grade in the arm service department or corps in which they are appointed. They shall meet all the requirements and qualifications now or hereafter prescribed by the laws of the United States and the rules and regulations promulgated thereunder for the organization and regulation of the National Guard. No officer shall be commissioned until he shall have successfully passed such tests as to his physical moral and professional fitness as shall be prescribed in relation thereto

Section 813 Appointment of Warrant Officers All warrant officers shall be appointed and assigned by the Governor. The warrant will bear the grade and warrant officer classification. Warrant officers shall meet all the requirements and qualifications now or hereafter prescribed by the laws of the United States and the rules and regulations promulgated thereunder for the organization and regulation of the National Guard

Section 814 Oath Commissioned and Warrant Officers All commissioned officers and warrant officers shall take the following oath

".....do solemnly swear that I will support and defend the Constitution of the United

States and the Constitution of the State of Pennsylvania against all enemies foreign and domestic That I will bear true faith and allegiance to the same that I will obey the orders of the President of the United States and of the Governor of the State of Pennsylvania that I make this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office of ..... in the National Guard of the United States and of the State of Pennsylvania upon which I am about to enter so help me God"

Section 815 General Officers of the Line Officers commissioned to and holding in the Pennsylvania National Guard or the Pennsylvania Guard the grade of general officers shall hereafter be known as general officers of the line Provided That the Governor may appoint in addition thereto an Adjutant General The number of general officers of the line shall conform with the number of such officers allocated to the Commonwealth of Pennsylvania as authorized by the Tables of Organization covering the National Guard promulgated from time to time in conformity with the provisions of the National Defense Act Provided further That the Governor may appoint a commanding general of the Pennsylvania National Guard with a rank to be determined by him regardless of Federal allotment or recognition General officers shall be appointed by the Governor with the consent of the Senate but no person shall be appointed a general officer who shall not have served at least ten years as a commissioned officer either in the Pennsylvania National Guard the Pennsylvania Guard the Regular Army of the United States the Officers' Reserve Corps of the United States Army or the Army of the United States Provided That the ten years service as herein required may be accumulated by commissioned service in any of the aforementioned organizations

Section 916 (a) When a general officer commanding a division or the commanding officer of non-divisional troops equivalent in size to an Infantry Division is permanently employed by the Commonwealth in his command capacity he shall receive the pay and allowances of his grade and length of service provided for in current Pay Act and Tables of the Regular Army

(b) When a general officer commanding a division or the commanding officer of non-divisional troops equivalent in size to an Infantry Division is not permanently employed by the Commonwealth he shall be entitled to an allowance of thirty-five dollars (\$35) per day for each day devoted to administrative command inspections and such other official military duties that they may be required to perform In no instance shall claim for such allowances exceed one hundred fifty days in one fiscal year provided that this daily allowance for services rendered shall be in addition to expenses incident to travel authorized by this act or other Pennsylvania laws

(c) The Adjutant General is hereby authorized to approve and submit for payment in the normal manner vouchers as submitted Vouchers submitted claiming this allowance shall bear a certificate in substance as follows "I hereby certify I have performed military duties on .....during the month of..... for which I am entitled to allowances provided for by Section 916 of Article VIII of the Military Code of 1949"

Section 817 Promotion of Commissioned and Warrant Officers The Governor has the power to promote officers and warrant officers of the Pennsylvania National Guard in accordance with the laws of the United States and rules and regulations promulgated thereunder

Section 818 Powers of Commissioned Warrant and Non-Commissioned Officers Commissioned officers warrant officers and non-commissioned officers of the Pennsylvania National Guard under their State commissions and warrants shall have all the powers inherent with command and training responsibility as are granted officers warrant officers and non-commissioned officers of

like rank and grade in the Army of the United States by law policy and customs of the service

Section 819 Powers of Officers in Active Service The commanding officers of any troop in active service may place in arrest any officer or enlisted man who shall disobey the orders of his superior officer or any person or persons who shall trespass on parade or camp grounds or in any way or manner interrupt or molest the orderly discharge of duty of those in active service and also may prohibit and prevent the sale of spirituous or malt liquors within two miles of such parade grounds or encampment and also in his discretion abate as a nuisance all hucksters canteens auction sales or gambling

Section 820 Uniforms Arms and Equipment of Officers Every commissioned officer shall furnish his own arms uniforms and equipment which shall be as prescribed by the Adjutant General An allowance for this purpose of not to exceed one hundred and fifty dollars (\$150) for each officer may be prescribed by the Governor and in addition thereto the Governor may prescribe a further allowance not to exceed fifty dollars (\$50) in any one year for each officer

Section 821 Term of Office of Commissioned and Warrant Officers The term of every commissioned officer and warrant officer shall be permanent or until terminated by reason of

a Death

b Reaching the maximum age-in-grade limitations provided for in table below An officer will be considered over the maximum age for his grade upon reaching the birthday anniversary of the year prescribed

Assignment	2d		1st			
	Lt	Lt	Capt	Maj	Lt Col	Col
State Headquarters ....	40	43	46	51	55	60
Rated officers in tactical Air units .....	31	36	41	44	47	49
Non-rated officers (including flight surgeons) in tactical Air units and all officers in non-tactical Air units .....	35	35	42	47	52	55
All other than PHG officer .....	35	35	42	47	52	55

When a Brigadier General has reached the age of sixty and a Major General the age of sixty-two

Any officer whose commission is terminated for age in grade and has served for at least fifteen years in the Pennsylvania National Guard Pennsylvania Guard Army of the United States United States Army Navy Air Force or Marine Corp may upon application to the Adjutant General be placed on the retired list If not qualified under this section then he shall be honorably discharged

c Physical disqualification

d Acceptance by proper authority of resignation

e Absence without leave for three months

f Dismissal pursuant to sentence by a general court martial

g Other reason enumerated in this act

Section 822 Elimination and Disposition of Officers and Warrant Officers At any time the moral character capacity and general fitness for the service of any Pennsylvania National Guard officer or warrant officer may be determined by an efficiency board or court of inquiry of three commissioned officers senior in rank if possible to the officer whose fitness for service shall be under investigation appointed by the Governor in case of general officers and headquarters Pennsylvania National Guard officers and the commanding general of a division in all other cases and if the findings of such board be unfavorable to such officer or warrant officer and be approved by the Governor he shall be discharged

Commissions of officers or warrant officers of the Pennsylvania National Guard may be vacated by addition to conditions enumerated in section twenty of this article

(a) upon the recommendation of an efficiency board (b) if recourse has been had to the sureties on his bond in the settlement of his financial or property accounts (c) if he has been convicted of an infamous crime (d) upon withdrawal of Federal recognition (e) in the case of inactive officers upon failure to complete the necessary training in any one year as required by Federal law or regulations or failure to respond to communications or (f) for being over age in grade in accordance with regulations issued and promulgated by the Secretary of the Army under the direction of the President of the United States

Section 823 Vacation of Commissions When a commissioned or warrant officer of the Pennsylvania National Guard accepts an appointment to another office therein is transferred to the Inactive National Guard resigns or dies the office or assignment previously held shall be deemed to have been vacated

Section 824 Holding Officers as Supernumerary Pending Settlement A commissioned officer responsible for State funds or State property or property of the United States issued to him by the Adjutant General or United States property and disbursing officer or acquired by transfer inventory or purchase from annual allowance of State funds who may tender his resignation or who may be relieved from command by competent orders of the Governor as Commander-in-Chief and whose accounts are not settled may be relieved from active duty by the Governor as Commander-in-Chief and held as supernumerary pending settlement of his accounts and when so relieved from active duty the office in which he is commissioned or to which he has been assigned shall be considered as vacated Provided That a commissioned officer so held as supernumerary shall be amenable to court-martial for military offenses to the same extent and in like manner as if upon the active list

Section 825 Enlistment Contract Every enlisted man shall meet all the qualifications prescribed by the laws of the United States and the rules and regulations promulgated thereunder Every man enlisting in the Pennsylvania National Guard shall sign an enlistment contract and take and subscribe to the following oath of enlistment "I .....do hereby acknowledge to have voluntarily enlisted this ..... day of ..... 19..... as a soldier in the National Guard of the United States and of the State of Pennsylvania for a period of .....years under the conditions prescribed by law unless sooner discharged by proper authority and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Pennsylvania and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the President of the United States and the Governor of the State of Pennsylvania and the officers appointed over me according to law and the rules and Articles of War"

Section 826 Discharge of Enlisted Men An enlisted man discharged from service in the Pennsylvania National Guard shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the Regular Army and in time of peace discharges may be given prior to the expiration of terms of enlistment under such regulations as the Governor may prescribe subject to the restrictions of the National Defense Act or amendments thereto On termination of an emergency in which the officers and enlisted men of the Pennsylvania National Guard shall have been called into the Federal service by the President of the United States in accordance with the provisions of the National Defense Act such officers and enlisted men shall continue to serve in the National Guard until the dates upon which their commission or enlistment entered into prior to their call into the Federal service would have expired if uninterrupted

Section 827 Change of Rank and Grade Surplus Personnel When the Governor shall use his power under

section three hundred six of Article III of this act the number of officers non-commissioned officers and enlisted men of any grade in any organization department corps arm service or staff may be increased or diminished and the grade of such officers warrant officers non-commissioned officers and enlisted men may be altered to the extent necessary to secure as far as practicable such uniformity Officers rendered surplus by either the disbandment consolidation or reorganization of their respective organizations may be placed in the Inactive National Guard or such officers may be held as supernumerary officers during the unexpired portion of their respective commissions at the sole discretion of the Governor as Commander-in-Chief and the period of time for which such officers are held as supernumerary may be included in computing the necessary length of service to entitle a commissioned officer to be placed upon the State retired list Enlisted men rendered surplus shall be honorably discharged in accordance with the law

Section 828 Termination of Call into the Service of the United States When any or all parts of the Pennsylvania National Guard are called as such into the service of the United States their units and members retain their State status as Federally recognized units and members of the Pennsylvania National Guard in a state of temporary suspension Under a Presidential call officers of the Pennsylvania National Guard shall continue to be appointed by the State and neither officers nor enlisted men may be held to service beyond the terms of their existing commissions or enlistments while in the service of the United States When the call into the service of the United States has been terminated and organizations units and personnel are returned to their status as the Pennsylvania National Guard personnel shall continue to serve in the Pennsylvania National Guard until the date which their commission or enlistment entered into prior to the call or during the call would have expired if uninterrupted

Section 829 In the Service of the United States Under Order (a) When any or all of the units and members of the Pennsylvania National Guard are ordered into the active military service of the United States they stand relieved from duty in the Pennsylvania National Guard during the period of such active military service and may be retained in the active military service of the United States for the period of the war or emergency and until six months after the termination of the war or emergency unless sooner relieved irrespective of the term of their existing commissions or enlistments Their prior status as units and members of the Pennsylvania National Guard continues to exist as an underlying and temporarily suspended status of origin to which they may and do return upon relief from the active military service of the United States When the duration of their military service of the United States is of such a duration and units and members so intermingled with other organizations and units of the Army of the United States that makes it impracticable for the units and members to return to that prior status as units and members of the Pennsylvania National Guard and it therefore becomes necessary to completely reorganize the Pennsylvania National Guard former members who accept a commission or enlist in the reorganized Pennsylvania National Guard under the time limitations and conditions covered in subsections (b) and (c) below applicable to World Wars I and II respectively and any acts covering future emergencies shall have their service for the purpose of longevity State retirement medals and awards count as continuous and uninterrupted

(b) The provisions of this section shall apply to any officers warrant officers or enlisted men who being mustered into the service of the United States prior to or during World War I if after being mustered out of the service of the United States subsequent to November eleventh one thousand nine hundred and eighteen he was either commissioned or enlisted in the Pennsylvania Na-

tional Guard as the organization and units thereof were reorganized up to and including the date of Federal recognition of the division on the twenty-second day of December one thousand nine hundred and twenty-one

(c) The provisions of this section shall apply to any officer warrant officer or enlisted man who being mustered into the service of the United States prior to or during World War II and who served honorably at least one year in the service of the United States between December seventh one thousand nine hundred forty-one and September second one thousand nine hundred forty-five if after being mustered out of the service of the United States was either commissioned or enlisted in the Pennsylvania National Guard as the organizations and units thereof were reorganized and prior to said organization or units Federal recognition date if such recognition date was prior to and including December thirty-first one thousand nine hundred forty-eight

Section 830 Transfer to Pennsylvania Guard When the Pennsylvania National Guard or any part thereof is ordered or called into the service of the United States officers warrant officers and enlisted men of the Pennsylvania National Guard not accepted for Federal service because of physical defects age or other cause shall be immediately transferred to the rolls of the Pennsylvania Guard and assigned to units or organizations of the Pennsylvania Guard by the Department of Military Affairs The officer warrant officer and enlisted men so transferred shall serve in the Pennsylvania Guard for the duration of the emergency plus six months unless sooner discharged under the terms of their State commission or enlistment contract

Section 831 Temporary Detail by Commanding Officers When a company is without commissioned officers from any cause the commanding officer of the regiment of which it is a part or if not part of a regiment then the division commander shall detail an officer to command said organization until an officer has been appointed or assigned thereto

Section 832 Pay of Officers on Special Duty Commissioned officers may be ordered upon special duty at the discretion of the Governor as Commander-in-Chief and shall receive the pay and allowances of their respective grades during the time they may continue upon duty under such order

Section 833 Pay of Officers and Enlisted Men Covered by Federal Pay Camps of instruction combined with troops of the Regular Army and of other states practice marches maneuvers and other exercises including the outdoor target practice shall be held at such times and places and for such organizations and for such periods as the Governor as Commander-in-Chief may direct During such tour of duty an inspection shall be made by such officers as may be designated for that purpose by the Governor as Commander-in-Chief For services during such tours of duty commissioned officers warrant officers and enlisted personnel shall be entitled to the same per diem pay and allowances and transportation in kind as National Guard officers and enlisted personnel of like grade and length of service are or may hereafter be entitled to by law while on duty under Federal authority during the annual training period commonly known as the summer encampment or while participating in exercises or performing the duties provided for in section ninety-four of the National Defense Act approved June third one thousand nine hundred and sixteen as amended and any such payments not made from Federal funds shall be payable from State funds by the Adjutant General in the usual manner Provided further That enlisted men shall be entitled to subsistence

Section 834 Pay of Officers and Men on Active Duty and State Service When the Pennsylvania National Guard or Pennsylvania Guard or any part thereof is ordered on active duty for State service by the Governor as Commander-in-Chief and pay is authorized for such duty under the order prescribing the performance thereof the

commissioned officers warrant officers and enlisted personnel so ordered shall be entitled to the same per diem pay and allowances and transportation in kind provided for in current Pay Act and Tables of the Regular Army The grades of enlisted men shall be such as the Governor as Commander-in-Chief may from time to time direct and shall conform to the grades authorized in tables or organization for the National Guard published by the Department of the Army Hereafter enlisted men shall receive an increase of five per centum of their base pay for every three years of service in the National Guard or in the United States Army Army of the United States Navy Marine Corps or Pennsylvania Guard or for any two or more of these services combined Provided That such increase shall not exceed thirty per centum of their base pay All payments of per diem pay and service shall be made by the Adjutant General in the usual manner No deductions shall be made from the pay of officers or enlisted men in active service for dues or other financial obligations imposed by any by laws rules or regulations of a civil character

Section 835 Transportation and Expenses of Officers on Special Duty Officers in attendance upon court-martial boards of examination efficiency boards and other necessary duty as prescribed by the Adjutant General shall receive transportation in kind as may be provided for in orders and the necessary expenses lawfully incurred in the performance of any such duty shall be paid upon proper vouchers duly approved by the officer under whose orders the duty is performed

Section 836 Retirement of Commissioned Officers Commissioned officers of the Pennsylvania National Guard or Pennsylvania Guard who have served in the Pennsylvania National Guard Pennsylvania National Guard Reserve or Pennsylvania Guard or all three whether as an enlisted man or officer for a period of twenty-five or more years shall upon application made to the Adjutant General be retired and promoted to the next higher grade provided he has served at least a period of one year in his highest grade while on the active list otherwise he shall be placed on the retired list at the highest grade held during his service Provided further That the Adjutant General furnish such officer a commission of new grade upon promotion following retirement A commissioned officer of the Pennsylvania National Guard who has served in the Pennsylvania National Guard Pennsylvania National Guard Reserve or Pennsylvania Guard or all three whether as an enlisted man or officer for a period of twenty years shall upon application made to the Adjutant General be placed on the retired list in the highest grade held during said active service Provided however That in considering the period of service aforesaid the military service of such commissioned officer in the Pennsylvania National Guard engaged in the service of the United States or service in the United States Army Navy or Marine Corps Army of the United States or Coast Guard shall be included and counted double in calculating the period of service for retirement or retirement with increased grade under the provisions of this section The provisions of retirement with increased rank shall be applicable when qualified to officer retired prior to passage of this act Provided further That the provisions of this act shall apply to deceased officers on the retired list upon proper application to the Adjutant General by some duly recognized veteran organization

All retired officers shall be entitled to wear the uniform of their grade as retired officers of the Pennsylvania National Guard on all proper military and semi-military occasions

Section 837 Enlisted men of the Pennsylvania National Guard or Pennsylvania Guard who have served for a period of thirty years or enlisted men who have reached the age of sixty years and who have served at least ten years in one or both of these organizations upon application to the Adjutant General shall be placed on the retired list Provided That service as members of the Penn-

sylvania National Guard under call order in the service of the United States or service in any of the military naval air force marine forces or coast guard of the United States may be counted as double in computing the thirty or ten years service as the case may be

Section 838 Administration of Oath General field and staff corps officers adjutants summary courts and judge advocates are hereby authorized and empowered to administer oaths and affirmations in all matters pertaining to and concerning the Pennsylvania National Guard and all commissioned officers as authorized and empowered to administer oaths and affirmations in the enlistment of soldiers for the Pennsylvania National Guard Any person who shall falsely swear or affirm to any oath or affirmation before any such officer shall be deemed guilty of perjury and upon trial and conviction thereof shall be sentenced for such

Section 839 Leaves of Absence for Certain State Employees All officers and employees of the Commonwealth of Pennsylvania members of the Pennsylvania National Guard shall be entitled to leave of absence from their respective duties without loss of pay time or efficiency rating on all days during which they shall as members of the Pennsylvania National Guard be engaged in the active services of the Commonwealth or in field training ordered or authorized under the provisions of this act

Section 840 Exemption of Uniform The uniform arms ammunition accoutrements of every commissioned officer and enlisted man shall be free from all suits distresses executions or sales for debt or payment of taxes

Section 841 Exemption from Arrest No officer or enlisted man shall be arrested on any warrant except for treason or felony while going to remaining at or returning from a place where he is ordered to attend for military duty

Section 842 Exemption from Civil Process No civil process shall issue or be enforced against any officer or enlisted man of the Pennsylvania National Guard in the active service of this Commonwealth or of the United States during so much of the term as he shall be engaged in active service under orders nor until thirty days prior he shall have been relieved therefrom Provided That the operation of all statutes of limitations and presumptions arising from lapse of time shall be suspended upon all claims against such officer or enlisted man during such term

Section 843 Exemptions from Further Military Service Jury Duty and Posse Comitatus In addition to the exemptions now allowed by law any person who shall have performed duty in the Pennsylvania National Guard for a period of nine years or who served for nine months or a longer period in active service of the United States and was honorably discharged or mustered out shall be exempt from further military service except in case of war invasion or insurrection and from serving as a juror if he so desires Every officer and enlisted man in the Pennsylvania National Guard shall during his service therein be exempt from service upon any posse comitatus Every officer and enlisted man of the Pennsylvania National Guard while in active service shall be exempt from jury duty during the period of such active service and any officer or enlisted man shall during his service in the Pennsylvania National Guard be exempt from serving as a juror if he so desires

Section 844 Relief for Disability Incurred in Active Service If any officer or enlisted man of the Pennsylvania National Guard is wounded or otherwise disabled or dies as a result of wounds or other disability received or contracted while performing duty in active service of the State or in the performance of other military duty under competent order or authority he or his dependents shall receive from the Commonwealth just and reasonable relief the amount of compensation to be determined in accordance with the Workmen's Compensation Law of Pennsylvania

Section 845 Criminal Offenses Any commissioned

officer or enlisted man of the Pennsylvania National Guard who shall embezzle misapply or convert to his own use without authority any moneys received by or entrusted to him for disbursement shall be deemed guilty of a misdemeanor and on conviction shall be sentenced as for other like offenses under the Penal Code of this State

Section 846 Purchasing and receiving Uniforms in Pawn If any person shall knowingly and wilfully purchase or receive in pawn or pledge any arm accoutrement article of military clothing equipment tent or fly or any quartermaster medical engineer signal property ordnance or ordnance stores the property of the Commonwealth of Pennsylvania of the United States in use by the Commonwealth of Pennsylvania he shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to an imprisonment not exceeding one year and a fine not exceeding three hundred dollars (\$300)

Section 847 Courts of Inquiry Courts of inquiry to consist of not to exceed three officers may be instituted by the Governor as Commander-in-Chief or the commanding general of the division for the purposes of investigating the conduct of any officer either upon his own request or upon complaint or charge of improper conduct as an officer or for the purpose of settling rank The appointing authority may appoint a recorder in addition to the three members The proceedings of a court of inquiry shall follow as far as practicable the forms and mode of procedure prescribed for courts of inquiry for the Regular Army Any court of inquiry with approval of the convening authority may employ a stenographer to take testimony Courts of inquiry shall without delay report a statement of facts to the officer instituting such court who may in his discretion cause charges to be preferred against the accused

Section 848 System of Courts-Martial Courts-martial shall be of three kinds namely general special and summary They shall be constituted like and have cognizance of the same subjects and possess like powers except as to punishments as similar courts provided for by the laws and regulations governing the Army of the United States and the proceedings of courts-martial of the Pennsylvania National Guard shall follow so far as practicable the forms and modes of procedure prescribed for said similar courts Except for certain offenses hereintofore specified all charges and specifications shall be laid under some one or more of the Articles of War which Articles of War shall be of the same force and effect in any proceeding before any court-martial as if the same had been herein enacted at length

Section 849 General Courts-Martial Convening Poser General court-martial in the Pennsylvania National Guard may be convened by order of the Governor or a division commander and such courts shall have the power to impose fines not exceeding two hundred dollars (\$200) or to sentence to imprisonment in the county jail of the county where the offense was committed for a term not exceeding one year or both together with such reasonable costs as they may assess to sentence to forfeiture of pay and allowances to reprimand to dismissal or dishonorable discharge from the service to a reduction of non-commissioned officers to the ranks or any two or more of such punishments may be combined in the sentences imposed by such courts Provided That sentence shall not become operative until after the approval thereof by the appointing power

Section 850 Special Courts-Martial Appointment Powers When not in the active service of the United States the commanding officer of each garrison fort post camp or other place brigade detached regiment or separate battalion or other detached or separate command may appoint special courts-martial for his command but such special courts-martial may in any case be appointed by superior authority when by the latter deemed desirable Special courts-martial shall have power to try any person subject to military law except a commissioned officer for any crime or offense made punishable by the military

laws of the United States or off the Commonwealth of Pennsylvania and such special courts-martial shall have the same powers of punishment as do general courts-martial except that fines imposed by such special courts-martial shall not exceed one hundred dollars (\$100) and such reasonable costs as they may assess. Provided That sentence shall not become operative until after the approval thereof by the appointing power.

**Section 851 Summary Courts-Martial Appointment Power** When not in the active service of the United States the commanding officer of each garrison fort post or other place regiment detached or separate battalion or company or other detachment of the Pennsylvania National Guard may appoint for such place or command summary courts-martial to consist of one officer who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of the laws governing such organizations except civic by-laws and said court when satisfied of the guilt of such soldier may impose fines not exceeding thirty-five dollars (\$35) or sentence to imprisonment in the county jail in the county where the offense was committed for a term not to exceed thirty-five days or both and such reasonable costs as they may assess for any single offense. Any sentence noncommissioned officers to reduction to the ranks may sentence to forfeiture of pay and allowances. The proceedings of such summary court shall be informal and the minutes thereof shall be so far as practicable the same as prescribed for summary courts of the Army of the United States. Provided That the sentence shall not become operative until after the approval thereof by the appointing power such summary courts-martial may in any case be appointed by superior authority when by the latter deemed desirable.

**Section 852 Collection of Fines Execution of Sentence** (a) All general and special courts-martial of the Pennsylvania National Guard when not in the active service of the United States shall have power to sentence to imprisonment in the county jail of the county where the offense was committed for a term not exceeding one year and after approval of such sentence by the appointing power shall issue a warrant of commitment of such person so sentenced to the aforesaid jail directed to any sheriff or constable he shall forthwith execute said warrant and make proper return to said court.

(b) All courts-martial of the Pennsylvania National Guard when not in the active service of the United States shall have the power to sentence to confinement after the approval of sentence by the appointing power in case of failure to pay the fines and costs authorized to be imposed. Provided That such sentence of confinement shall not exceed one day for each dollar of fine authorized and imposed. In such cases the courts-martial shall issue a warrant of commitment of such delinquent to the proper jail of the county directed to any sheriff or constable who shall forthwith execute said warrant and make proper return of the same to said court.

**Section 853 Approval of Sentences Imposed by Court-Martial** When the Pennsylvania National Guard is not in the active service of the United States sentence of dismissal from the service or dishonorable discharge imposed by court-martial shall not be executed until approved by the Governor.

**Section 854 Powers of Court Officers Admission to Bail** When not in active service of the United States presidents of courts-martial and summary court officers shall have power to issue warrants directed to the sheriff of the proper county or any constable to arrest accused persons and to bring them before the court for trial whenever such persons shall have disobeyed an order in writing from the convening authority to appear before such court a copy of the charge or charges having been delivered to the accused with such order in the manner provided by law for service of civil process and to issue subpoenas and subpoenas duces tecum and to enforce by

attachment attendance of witnesses and the production of books and papers and to sentence for a refusal to be sworn or to answer as provided in actions before civil courts. And provided That a president of a court-martial or a summary court officer may issue a proper certificate of commitment to the sheriff of a county or to any constable who may commit such person to any county prison pending trial. In all cases the party accused of any crime or misdemeanor against military law shall be admitted to bail by one or more sufficient sureties to be taken before the president of a court-martial or before a summary court officer before whom the charges have been preferred and to whom the charges have been referred by higher military authorities. The amount of bail will be fixed by the officer before whom the accused is brought for trial or for commitment pending trial.

**Section 855 Duties of Jailers** The keepers and wardens of all county jails are required to receive and confine all military offenders when delivered by any sheriff or constable under the proper certificate of commitment of a general special or summary court-martial pending trial and for and during the term of sentence as set forth in said commitment.

**Section 856 Disobedience of Subpoenas** Every witness not appearing in obedience to such subpoena when duly served and not having a sufficient or reasonable excuse shall forfeit to the Commonwealth a sum of not less than ten or more than fifty dollars for each default and the president or officer of such court shall from time to time report to the district attorney the names of such delinquent witnesses together with the names and places of residence of the persons serving such subpoena the better to enable him to prosecute for such forfeiture.

**Section 857 Execution of Attachment** Every attachment for a witness shall be executed in the same manner as a warrant and by the sheriff or a constable of the county and the fees for serving the same shall be paid by the person against whom the cause shall have been issued unless he shall show reasonable cause to the satisfaction of such court for his omission to attend in which case the party requiring such attachment shall pay the costs such costs shall be ascertained by the said court which may thereupon issue an execution for the collection thereof against the person liable to pay the same and which shall be collected as other executions are collected by said sheriff or constable.

**Section 858 Appeals to the Governor** An appeal from the approved finding or sentence of a general court-martial may be made to the Governor as Commander-in-Chief within twenty days after the decision appealed from shall have been made known to the accused and shall operate as a stay of execution of sentence until such appeal has been decided.

**Section 859 Disposition of Fines and Penalties** All fines and penalties imposed and collected through the sentence of courts-martial shall be forwarded to the Adjutant General who shall deposit the same in the State Treasury. It shall be proper for the Department of Military Affairs to request each session of the Legislature to appropriate such moneys as have been so deposited for expenditure for the welfare of the National Guard.

**Section 860 Liability of Public Officers for Non-Execution of Process** The neglect or refusal of any sheriff constable or jail warden to execute any process or to make proper return of all fines and penalties collected or to receive in custody any prisoner shall be deemed a misdemeanor and shall subject the offender to a prosecution by the proper district attorney and to a penalty upon conviction of each such offense of one hundred dollars (\$100) to the use of the Commonwealth.

**Section 861 Compensation of Court Judge advocates** and members of courts-martial and courts of inquiry shall be allowed transportation in kind and per diem pay as per military grade for time actually employed in the duties assigned them. Transportation in kind shall be furnished to all prosecutors prisoners witnesses sheriffs

and constables to and from the place or places designated for the meetings of said courts. The per diem pay for military and civilian witnesses shall be the same as in civil courts of law. The fees of sheriffs and constables for serving the processes provided for in this act shall be the same as prescribed by law for similar processes of a civil nature and shall upon proper vouchers being filed be paid by the Adjutant General in the usual manner.

Section 862 Provisions Apply to Naval Militia Pennsylvania Guard and Pennsylvania Naval Militia. The provisions of this article and sections thereunder in addition to where specifically mentioned are applicable to the Pennsylvania Guard and Pennsylvania Naval Militia where appropriate.

#### Article IX

##### The Naval Militia and Pennsylvania Naval Militia

Section 901 Naval Militia. The organized armed naval forces of the Commonwealth of Pennsylvania during time of peace shall be and constitute the Naval Militia thereof and shall be subject to all times to the orders of the officers thereof.

Section 902 Organization. The Naval Militia of this Commonwealth shall consist of such organization units and over all strength of personnel as may under the Act of Congress be prescribed by the President of the United States as the portion of the Naval Militia of the United States apportioned and assigned to the Commonwealth of Pennsylvania.

Section 903 Naval Section of State Staff. When the Naval Militia or Pennsylvania Militia is organized the administration and supply of this force shall be a function of the Department of Military Affairs. The Adjutant General is authorized to form a naval section in the existing State Staff and Detachment for the purpose of carrying out his powers under the provisions of this act. Rank and strength of personnel of this section shall conform as far as practicable to similar organizations of the United States Navy and over all a strength of force authorized.

Section 904 Personnel Requirements. All commissioned officers warrant officers non-commissioned officers and enlisted men shall meet the requirements and qualifications prescribed by the laws of the United States and rules and regulations promulgated under these laws by the Department of the Navy for the governing of the United States Navy. The rank given in this act is naval rank as the same now exists in the United States Navy.

Section 905 Pay of Officers Enlisted Men. Officers and enlisted men of the Naval Militia shall perform such duty or service as may be ordered by the Commander-in-Chief and shall be paid the same compensation as is allowed to officers and enlisted men having the same relative rank or position in the National Guard for performing similar duty or service but they shall not receive any compensation from the State for duty performed by way of instruction or drill or otherwise for which they shall receive compensation from the United States. The uniform of the Naval Force and the insignia and designation of grade and rank shall be prescribed by the Commander-in-Chief who may change and modify the same from time to time.

Section 906 Discipline and Duty. The system of discipline routine of duty and exercise of the Naval Force shall conform generally with the existing laws governing the National Guard of the State of Pennsylvania so far as the same may apply to the Naval Force and where the same does not apply the discipline duty and exercises shall conform generally to the laws customs and usages governing the United States Navy.

Section 907 Pennsylvania Naval Militia. When the Naval Militia is called or ordered into the service of the United States or in event this force has never been in existence during a period of national emergency the Governor is authorized to enroll a naval force to be known as the Pennsylvania Naval Militia for the duration of the emergency plus six months in order to protect the

lakes harbors rivers and waterways of the Commonwealth.

Section 908 National Guard Laws Applicable to Naval Militia. All articles and sections of this act all other acts and appropriation acts of the Commonwealth of Pennsylvania now or to be enacted affecting the Pennsylvania National Guard are applicable to the Naval Militia.

Section 909 Laws Applicable to Pennsylvania Naval Militia. All articles and sections of this act all other acts and appropriation acts of the Commonwealth of Pennsylvania now or to be enacted affecting the Naval Militia Pennsylvania National Guard Pennsylvania Guard are applicable to the Pennsylvania Naval Militia when organized.

#### Article X

##### Pennsylvania Guard

Section 1001 Composition and Strength. The Pennsylvania Guard shall consist of such divisions brigades regiments battalions companies and similar organizations as may be prescribed by the Governor.

Section 1002 Location of Units. The Governor shall designate the location of the several organizations and units and may change the same at his discretion. Organizations and units shall be located wherever practicable in armory buildings owned by the Commonwealth.

Section 1003 Oath of Commissioned Officers. Each commissioned officer before entering upon the duties of his appointment shall take and subscribe the following oath: "I ..... do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies that I will bear true faith and allegiance to the same that I will obey the orders of the Governor of the State of Pennsylvania that I make this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office ..... in the Pennsylvania Guard upon which I am about to enter."

Section 1004 Age and Physical Requirements. The Governor will by executive order prescribe the age limitations and physical qualifications which will govern both officers and enlisted men in the Pennsylvania Guard but no person shall be refused enlistment or a commission or in any way be discriminated against in the administration of this act by reason of his race or color.

Section 1005 Enlistment Contract and Oath. Every man enlisting in the Pennsylvania Guard shall sign an enlistment contract and take and subscribe to the following oath of enlistment: "I do hereby acknowledge to have voluntarily enlisted this ..... 19.... as a soldier in the Pennsylvania Guard for the period of the emergency plus six months unless sooner discharged by proper authority and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Pennsylvania and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the order of the Governor of the State of Pennsylvania and of the officers appointed over me according to law and the rules and Articles of War."

Section 1006 Pay Transportation Annual Encampment. All officers and enlisted men will receive pay for armory drills not to exceed sixty drill pays in any one year. The rate of pay shall be in accordance with the corresponding grades and length of service of the regular army pay scale. In the event of a calling of all or any part of the Pennsylvania Guard into active State duty the pay and transportation of officers and enlisted men shall be on the same basis as provided for similar grades in the regular army. The Governor is further authorized to provide an annual training period for the Pennsylvania Guard not to exceed thirty days in any one year during which period the pay allowances and transportation of officers and enlisted men shall be on the same basis as provided for similar grades in the Regular Army.

Section 1007 Annual Allowance The Adjutant General is directed to pay to each headquarters of organizations and to the organizations an annual allowance on the same basis as provided for similar units in the Pennsylvania National Guard

Section 1008 Uniforms Arms and Equipment The Governor is authorized to requisition from the Department of the Army such arms and equipment as may be available for use of the Pennsylvania Guard under the provisions of Public Resolution Number 874 76th Congress of the United States approved October twenty-first one thousand nine hundred forty and such other uniforms arms and equipment as may hereafter be authorized by the Congress of the United States to be made available to the Pennsylvania Guard In the event uniforms and equipment are not available from the Department of the Army for the use of the Pennsylvania Guard the Governor shall cause to be provided such uniforms arms and equipment as may be necessary for the efficient functioning and operation of the guard

Section 1009 National Guard Laws Generally to Apply All Pennsylvania laws or sections of laws pertaining to the Pennsylvania National Guard shall be applicable and shall govern the Pennsylvania Guard except as modified or changed by the provisions of this article

#### Article XI

##### Medals Badges and Awards

Section 1101 Authorized Decorations Medals and Awards The following decorations medals ribbons badges and awards are authorized to be presented by the Governor in the name of the Commonwealth under conditions and methods enumerated hereafter in this article

- 1 Pennsylvania Cross for Valor
- 2 Pennsylvania Distinguished Service Medal
- 3 Pennsylvania Meritorious Medal
- 4 Pennsylvania Commendation Ribbon
- 5 State medal for Federal service during any war
- 6 Service Ribbon or/and Medal for active State service during an emergency
- 7 Pennsylvania twenty year service medal
- 8 General Thomas J Stewart Medal

Marksmanship Medals or Badges

Section 1102 Specifications and Procurement The Department of Military Affairs shall furnish the detailed specifications and design for all the items hereinbefore mentioned in this article except those specifically noted below The department is authorized to procure all decorations medals ribbons badges and awards in accordance with the prescribed methods and as specifically directed below

(1) The Pennsylvania twenty year service ribbon shall be silver suspended from a dark green ribbon

(2) Service medal and ribbon for World War II at cost to veteran

Section 1103 Method of Award The authorized decorations medals ribbons badges and awards will be awarded to the following persons and under the conditions and methods specifically mentioned in this section

(1) The Pennsylvania Cross for Valor shall be awarded by the Governor to members of the Pennsylvania National Guard Naval Militia Pennsylvania Guard Pennsylvania Naval Militia or of the military and naval forces of the United States for acts of bravery courage or valor above the ordinary gallantry of other members of the services The Cross for Valor will ordinarily be awarded on the recommendation of the commanding officer of a regiment or similar unit but such recommendation may be initiated by an officer of lower rank All recommendations for this award will be forwarded to the Governor through the Department of Military Affairs

(2) The Pennsylvania Distinguished Service Medal shall be awarded by the Governor to commissioned officers of the Pennsylvania National Guard Naval Militia Pennsylvania Guard Pennsylvania Naval Militia or of the military and naval forces of the United States in recog-

nition of meritorious service beyond the call of the normal dictates of duty to the Commonwealth of Pennsylvania This award will ordinarily be awarded on the recommendation of the Governor or of a general officer All recommendations for this award except those of the Governor must be forwarded to the Governor through the Department of Military Affairs The recommendation shall specifically show that at the time of the rendition of such service the person recommended was on duty of great responsibility

(3) The Pennsylvania Meritorious Medal shall be awarded by the Governor to civilians and officers of the Pennsylvania military and naval forces in recognition of meritorious service rendered the Commonwealth of Pennsylvania during an emergency peace or war and while holding a position of great responsibility This award will ordinarily be awarded on the recommendation of the Governor or any members of his cabinet or by officers of the State military and naval forces Recommendation for this award should normally be forwarded to the Governor by cabinet members through the Department of Military Affairs

(4) The Pennsylvania Commendation Ribbon shall be awarded by the Department of Military Affairs to members of the Pennsylvania National Guard Naval Militia Pennsylvania Guard Pennsylvania Naval Militia and the military and naval forces of the United States for meritorious and outstanding service to the Commonwealth of Pennsylvania and under conditions which does not warrant the award of the Pennsylvania Distinguished Service Medal This award will ordinarily be awarded on the recommendation of the commanding officer of a regiment or similar unit but such recommendation may be initiated by an officer of lower rank

(5) Laurel Leaf Not more than one Pennsylvania Cross for Valor Pennsylvania Distinguished Service Medal Meritorious Service Medal or Pennsylvania Commendation Ribbon shall be issued to anyone person but for each succeeding deed act or achievement sufficient to justify any of these awards a silver laurel leaf shall be awarded in lieu thereof The laurel leaf is worn on the ribbon of the medal or corresponding ribbon bar

(6) The Adjutant General shall annually appoint a board of three commissioned officers for the purpose of considering recommendations for the Pennsylvania Cross for Valor the Pennsylvania Distinguished Service Medal the Pennsylvania Meritorious Medal the Pennsylvania Commendation Ribbon and the Laurel Leaf

(7) A commissioned officer of the Pennsylvania National Guard or Pennsylvania Guard who has heretofore been awarded the Meritorious Service Medal shall be authorized to receive in lieu thereof the Pennsylvania Distinguished Service Medal

(8) The Pennsylvania Service Medal for service in the armed forces of the United States during any war shall be awarded to any veteran of said war who was a resident of Pennsylvania at the time of entering the service of the United States and who served honorably for at least three months during said war between limiting dates prescribed by Department of Military Affairs

(9) Pennsylvania Service Ribbons or medals for active State service within the boundaries of this Commonwealth during any emergency war or peace may be issued to members of the Pennsylvania National Guard Naval Militia Pennsylvania Naval Militia by the Department of Military Affairs when their service records indicate that they were a member of and present an organization or unit that was mobilized during said emergency and actually moved him from home station to actively participate in emergency under orders of the Governor or actively participated in emergency while at home station

(10) A Service Medal for twenty years service not necessarily consecutive in the Pennsylvania National Guard shall be awarded by the Department of Military Affairs to any individual of the Pennsylvania National Guard whose official record shows that he has served

the required time under the conditions specified in this section. In computing such twenty years of service any service in the volunteer forces of the United States or in the Army Navy or Marine Corps thereof during any war in which the United States was engaged or during any Federal service shall be included at twice its actual length. Service in the Pennsylvania Guard may be concluded in figuring the twenty years of service. The individual shall be awarded and entitled to wear on the ribbon bar of the Service Medal one silver star with an additional star for each additional five years of service.

(11) The General Thomas J Stewart Medal shall be awarded to members of the armed military and naval forces of the Commonwealth upon recommendation of their unit or organizational commanders for one hundred percent attendance and excellence in drill including summer training camp during any one year subsequent to January first one thousand nine hundred and twenty-six. Only one of these medals shall be awarded to any one individual.

(12) A Marksmanship Badge to be awarded to civilians or to members of the Pennsylvania National Guard or of the Pennsylvania State Guard or of the military or naval forces of the United States not necessarily in the Pennsylvania National Guard or Pennsylvania Guard who as individual competitors or as members of a team in rifle or pistol matches win first second or third place in any State Interstate National or International Matches.

Section 1104 Decoration When Worn. The decorations medals ribbons and badges mentioned in this article are authorized as part of the prescribed uniform of the Pennsylvania National Guard and Naval Militia not in the service of the United States and the Pennsylvania Guard and Pennsylvania Militia. These decorations medals and ribbons and badges will be worn to the left of all decorations awarded by the United States Government.

## Article XII

### Interpretation Repeals

Section 1201 Interpretation. It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had been included therein. It is the intention of the General Assembly that if any court of competent jurisdiction shall hold unconstitutional any provision of this act transferring to a department board commission or any officer the powers and duties heretofore exercised and performed by another department board commission or officer the provisions make this transfer thereby become inoperative and that in such event the powers and duties shall be transferred but shall continue as prior to the passage of this act and shall exercise its powers and perform its duties as heretofore. The remaining provisions of this act shall in any such case be given full force and effect.

Section 1202 Specific Repeals. The following acts and parts of acts their amendments and supplements are hereby specifically repealed.

(1) The act approved the thirtieth day of January one thousand eight hundred seventy-one (P. L. 13) entitled "A supplement to an act entitled 'An act providing for the election of district attorneys' allowing district attorneys to hold office in the militia."

(2) The act approved the fifteenth day of May one thousand eight hundred ninety-three (P. L. 49) entitled "An act for the establishment and government of a State Naval Militia."

(3) The act approved the twenty-sixth day of June one thousand eight hundred ninety-five (P. L. 332) entitled "An act conferring upon municipalities the right of eminent domain for the purpose of appropriating public property for the use of the National Guard of Pennsylvania."

(4) The act approved the ninth day of May one thousand eight hundred ninety-nine (P. L. 266) entitled "An act to provide for the enrollment organization discipline and regulation of the militia of the Commonwealth of Pennsylvania."

(5) Sections two four five seven eight and nine of the act approved the eleventh day of May one thousand nine hundred five (P. L. 442) entitled "An act for the appointment and maintenance of a board to be known as the Armory Board of the State of Pennsylvania and for the payment of its expenses and for providing managing and caring for armories for the use of the National Guard of Pennsylvania throughout the Commonwealth of Pennsylvania and making an appropriation for the same authorizing the State Armory Board to receive from counties cities municipalities and other sources donations or contributions for the purpose of this act."

(6) The act approved the fifteenth day of March one thousand nine hundred nine (P. L. 33) entitled "An act relating to armories for the National Guard of Pennsylvania authorizing counties cities towns boroughs and other municipal divisions of the Commonwealth to provide and appropriate moneys or purchase and convey land or convey land owned by any county city town borough or other municipal division of the Commonwealth to assist the Armory Board in the erection of armories and to furnish free of cost to the Commonwealth water light fuel either or all for use in any armory."

(7) The act approved the third day of May one thousand nine hundred nine (P. L. 388) entitled "An act authorizing the Armory Board of the State of Pennsylvania to acquire certain real estate by purchase or condemnation providing for the consent of the municipal authorities prescribing the procedure and manner of service and providing for evidence of title."

(8) The act approved the twelfth day of May one thousand nine hundred twenty-one (P. L. 544) entitled "An act authorizing counties cities boroughs towns and townships to acquire lands by purchase gift or condemnation and to convey such lands to the Commonwealth for use of the National Guard."

(9) The act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth."

(10) The act approved the thirtieth day of April one thousand nine hundred twenty-five (P. L. 417) entitled "An act providing for the transfer by the Adjutant General of land conveyed to the Commonwealth for armory purposes where such land cannot be used for such purpose."

(11) The act approved the fourteenth day of May one thousand nine hundred twenty-five (P. L. 694) entitled "An act providing for the sale of certain armories and the use of the money derived therefrom in the acquisition of property and building of other armories."

(12) Clause (a) of section four hundred forty-eight sections one thousand four hundred one one thousand four hundred two one thousand four hundred three one thousand four hundred four one thousand four hundred five one thousand four hundred six one thousand four hundred seven and one thousand four hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing

the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined"

(13) The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 662) entitled "An act relating to retirement from the Pennsylvania National Guard"

(14) The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 681) entitled "An act providing for the award of drill and service medals and bars to officers and enlisted men of the Pennsylvania National Guard imposing duties upon the Department of Military Affairs"

(15) The act approved the seventeenth day of May one thousand nine hundred thirty-three (P. L. 804) entitled "An act to preserve the continuity of service of officers and enlisted men of the Pennsylvania National Guard who were mustered into the service of the United States during the World War and afterward were enlisted or commissioned in the said National Guard"

(16) The act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 248) entitled "An act providing for the organization under certain conditions of two colored battalions of infantry and making an appropriation therefor"

(17) The act approved the sixteenth day of March one thousand nine hundred thirty-seven (P. L. 100) entitled "An act directing the Department of Military Affairs to select procure furnish and award certain decorations medals and badges"

(18) The act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States"

Section 1203 General Repeals All other acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GUARNIERI. Mr. Speaker—

The SPEAKER. For the information of the gentleman from Philadelphia, Mr. Guarneri, there is nothing in order but the calling of the roll. Did the gentleman request recognition before the Chair ordered the roll call?

Mr. GUARNIERI. Yes, Mr. Speaker.

The SPEAKER. The Chair will accept the gentleman's word, and if there are no objections the Chair will withdraw its direction that the roll be called and will recognize the gentleman from Philadelphia.

Mr. GUARNIERI. Mr. Speaker, I do not wish to debate this measure and delay the House. Time is very short but I want to make an observation on this bill.

It is my opinion that there is a question here under Section 310 of the bill on Page 17, as to the constitutionality of the bill.

To my mind there may be something that is unconstitutional, wherein it allows the Governor to deter-

mine as to who may or may not be exempt, particularly on Page 5 of the bill, which says:

"The enrollment shall be accomplished and exemptions from liability to perform militia duty shall be determined and established in accordance with rules and regulations to be prescribed by the Governor."

That to my mind, Mr. Speaker, under the decisions of the Supreme Court of Pennsylvania, does not set up proper standards to determine liability from exemption of service. That to my mind raises a question of constitutionality, and for that reason I believe there is a constitutional objection to this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—140

Altshuler,	Firmstone,	Kline,	Robbins,
Andrews,	Flack,	Kohl,	Robertson,
Bane,	Fleming,	Kolankiewicz,	Rose,
Barkdoll,	Floyd,	Kratz,	Royer,
Baumunk,	Fox,	Kurtz,	Sarra,
Bednarek,	Frank,	Lederer,	Sax,
Blair,	Frost,	Lee,	Scanlon,
Bloom,	Gallagher,	Leisey,	Scott,
Bomberger,	George,	Loftus,	Shoemaker,
Boorse,	Gibson,	Lovett,	Smith, C. C.,
Bower,	Goodling,	Madigan,	Sollenberger,
Brandon,	Graybill,	McCormack,	Spencer,
Brelach,	Green,	McCullough,	Stank,
Breth,	Greenwood,	McKinney,	Sternberg,
Brice,	Greer,	McMillen,	Stimmel,
Brown, H. S.,	Guthrie,	Mihm,	Stuart,
Brunner,	Hall,	Mikula,	Swope,
Cadwalader,	Hamilton,	Miller,	Tahl,
Clapper,	Haudenschild,	Milliken,	Thompson,
Clendening,	Heatherington,	Mintess,	Tompkins,
Conway,	Helm,	Moore, C. E.,	Toomey,
Cooper,	Herman,	Moore, H. A.,	Varner,
Costa,	Hewitt,	Murray,	Wachhaus,
Dalrymple,	Hocker,	Najaka,	Wagner,
DeLong,	Hoffman,	Neff,	Waterhouse,
Dennison,	Hoggard,	O'Dare,	Watkins,
Depuy,	Jennings,	O'Donnell,	Weidner,
Driscoll,	Johnson,	Orban,	Wood,
Dye,	Jones, G. E.,	Pettigrew,	Yaffe,
Elder,	Jump,	Powers,	Yeakel,
Erb,	Kamyk,	Price, H. W., Jr.,	Yester,
Ewing,	Keller,	Propert,	Yetzer,
Felton,	Kemp,	Readinger,	Young,
Ferster,	Kent,	Reilly, J. M.,	Ziegler,
Filo,	Kirley,	Riley, R. L.,	Sorg,

Speaker

#### NAYS—54

Amarando,	Hersch,	Nagel,	Schmidt,
Beaver,	Hunter,	Needham,	Schuster,
Bucchin,	Jenkins,	Nixon,	Seyler,
Cole,	Jim,	Peta,	Smith, W. B.,
Coleman,	Jones, J. M.,	Petrosky,	Snider,
Dougherty,	Kondrath,	Polen,	Taylor,
Duffy,	Leonard,	Posta,	Wargo,
Evans,	Limper,	Price, R. A.,	Weiss,
Gaffney,	McGee,	Reese,	Welsh,
Glembocki,	McNally,	Reidenbach,	Westrick,
Good,	Mills,	Reynolds,	Wheeler,
Guarnieri,	Moran,	Rosen,	Williams,
Hagerty,	Munley,	Rovanssek,	Worley,
Harris,	Musto,		

#### NOT VOTING—14

Boles,	Krise,	Pentrack,	Varallo,
Brown, W. E.,	Monroe,	Pfaff,	Verona,
Cochran,	Olsen,	Reagan,	Wescott,
Harney,	Penglase,		

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## CONFERENCE REPORT ON SENATE BILL NO. 585

Mr. COSTA. Mr. Speaker, I present the report of the Committee of Conference on Senate Bill No. 585.

The SPEAKER. This being a Senate Bill, the report will be noted in the Journal, and printed by the Senate.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 735, as follows:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 694) are hereby further amended to read as follows

Section 7 License Hearings Appeals from the Grant or Refusal of Licenses The board may of its own motion and shall upon the written request of any applicant for license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license

renewal or transfer thereof in considering the renewal of a license the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license The applicant may appear in person or by counsel may cross-examine the witness for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order Any [person] applicant aggrieved by the refusal of the board to issue renewal or transfer a license may appeal or any church hospital charitable institution school or public playground located within three hundred feet of the premises applied for aggrieved by the action of the board in granting the issuance of a new license or transfer of a license may take an appeal limited to the question of such grievance to the court of quarter session or the county court of Allegheny County or the county in which the premises applied for are located within twenty days of date of refusal or grant Such appeal shall be upon petition of the [applicant] aggrieved party who shall serve a copy thereof upon the board The court shall hear the application de novo on questions of fact administrative discretion and such other matters as are involved at such time as it shall fix of which notice shall be given to the board The court shall either sustain [the refusal] or overrule the action of the board [or order an] and either order or deny the issuance renewal or transfer of the license to the applicant [There shall be no further appeal] Any appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise

The parties to the proceeding may within thirty days from the filing of the order or decree of said court file an appeal therefrom to the Superior Court

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

Section 13 Revocation and Suspension of Licenses Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws or any intentional violation of any laws of this Commonwealth or of the United States of America relating to the tax-payment of liquor or malt or brewed beverages by any licensee his officers servants agents or employees or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises when a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the

said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within the said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses such appeal as aforesaid shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise upon such appeal the court so appealed to shall in the exercise of its discretion sustain reject alter or modify the findings conclusions and penalties of the board based on the findings of fact and conclusions of law as found by the court The licensee or the board may within thirty days from the filing of the order or decree of said court file an appeal therefrom to the Superior Court In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of a manufacturer the offer in compromise shall be at the rate of one hundred dollars (\$100) for each day of suspension in the case of an importing distributor thirty dollars (\$30) and a distributor twenty dollars (\$20) for each day of suspension and in the case of a retail dispenser or transporter for hire ten dollars (\$10) for each day of suspension No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of 100 days

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

Section 2 Subsection (a) of section fourteen of said act as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1827) is hereby further amended to read as follows

Section 14 Licenses Not Assignable Transfers (a) Licenses issued under this act may not be assigned The board upon payment of the transfer filing fee and the execution of a new bond is hereby authorized to transfer any license issued by it from one person to another or from one place to another or both within the same municipality or township as the board may determine but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally nor except as herein provided to a place as to which a license has been revoked Except in cases of emergency such as death serious illness or circumstances beyond the control of the licensee as the board may determine such circumstances to justify its action transfer of licenses may be made only at times fixed by the board In the case of the death of a licensee the board may transfer the license to the surviving spouse or personal representatives or to a person designated by him From any refusal to grant a transfer or from the grant of any transfer the [person] party aggrieved shall have the right to appeal to the court of quarter sessions of the county in which the licensed premises are situated [in the same manner as herein provided for appeals from refusals to grant licenses] and therefrom to the Superior Court as provided in section seven hereof

Section 3 The provisions of this amendatory act shall not apply to nor affect any application for the grant of a license or the renewal or transfer thereof made or pending before the Pennsylvania Liquor Control Board or any appeal made to the court from action of the board before the effective date of this act

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, these are what are known as the liquor bills. Now, the only objection that I have to these bills is that I was a Member of the Legislature some time ago when we passed legislation setting up the quota law, and to my own personal mind,—I don't want to speak for the other Members who were here at that time,—but as for myself, the intent was that clubs were not within the quota law. These two bills would give the right to the Superior Court to make that decision.

My mind was made up at that time and I am still of the same opinion. Therefore, I do not believe it is necessary that I should vote for bills that would give the Superior Court the right to say what my intentions were at the time, and for that reason I will vote against these two bills.

#### PARLIAMENTARY INQUIRY

Mr. READINGER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Berks will state it.

Mr. READINGER. Mr. Speaker, would be it be possible to speak on Bill 735, Page 37 and also Senate Bill 736 on Page 38 of the calendar, inasmuch as the two bills are practically identical?

The SPEAKER. The Chair is of the opinion that it would expedite the business of the House, and without objection the gentleman will have that privilege. The Chair hears no objection.

Mr. READINGER. Mr. Speaker, these two bills in my opinion represent a milestone in the legislative liquor history of this Legislature. As I mentioned the other night, when we were discussing amendments to Senate Bill 736, this is the first time since 1939 that we are deliberately trying to do something about the confusion that has arisen concerning the interpretation of the liquor laws, as to whether or not clubs are in or out of the quota. These two bills allow an appeal to the Superior Court from decisions of the Liquor Control Board on licensing cases and also in suspension and revocation cases.

I do not want to burden you again with some of the things that I said the other night, but it is true that there was a great deal of confusion at the end of the 1939 Session, when the limitation law was passed. That confusion has resulted in many county courts holding that clubs come within the quota, and many of them holding that they are without the quota. This definitely creates disrespect for the law.

Within a very short time in my opinion there will be an appeal made to the Superior Court on this question and this question will then be determined because of the fact that many of the Courts of Common Pleas in this Commonwealth after a thorough study of this legislation have ruled differently, and because of the fact that the Superior Court of Pennsylvania will have to resolve this question itself and must do so after studying the various decisions that have already been handed down.

I would like at this time to interrogate the gentleman from Allegheny, Mr. Brown, concerning the 1939 limitation law.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. HOMER S. BROWN. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman whether he was a Member of this House during the Session of 1939.

Mr. HOMER S. BROWN. I was, Mr. Speaker.

Mr. READINGER. Mr. Speaker, was the gentleman a member of the Conference Committee appointed by the House on the question of the passage of the so-called limitation law relative to liquor licenses in Pennsylvania?

Mr. HOMER S. BROWN. I believe, Mr. Speaker, if my memory serves me right, at that time I was.

Mr. READINGER. Mr. Speaker, can the gentleman inform the Members of this House whether there was any intention on the part of the conferees on this bill to place clubs within the quota law?

Mr. HOMER S. BROWN. Mr. Speaker, if the gentleman will yield so that I may refer the question to the Speaker as to whether I am permitted to answer that question or not,—may I defer to the Speaker under a point of order whether I have permission to answer the gentleman from Berks as to what the intention of the conferees was on the quota law of 1939? If I am in order, I will answer the question. If I am not in order, I will not answer the question.

The SPEAKER. The Chair would suggest that without permission of the remainder of the members of the Committee on the part of the House, the gentleman should refrain from divulging the intentions and discussions of the Committee.

Mr. HOMER S. BROWN. Mr. Speaker, may I give my own personal opinion, Mr. Speaker?

The SPEAKER. The gentleman may state his own personal opinion.

Mr. HOMER S. BROWN. Mr. Speaker, if the gentleman from Berks will ask my personal opinion, I will be happy to answer his question.

Mr. READINGER. Mr. Speaker, I simply desire to have the gentleman from Allegheny state his own personal opinion of his intentions at the time the conference report on the limitation law was enacted in 1939.

Mr. HOMER S. BROWN. Mr. Speaker, in answer to that question, it was my personal opinion when we drafted the conferees' report, that both hotels and clubs were not within the quota limitation. I was the most surprised man in the world after reading the first decision, which I think arose in Lackawanna County, to find out that due to the interpretation of the Judge who was then presiding, clubs were within the quota.

Mr. HEATHERINGTON. Mr. Speaker, we cannot hear the debate back here.

Mr. HOMER S. BROWN. Mr. Speaker, I am not sure whether I can pick up the continuity of what I was saying but it all boils down to this, I was surprised when I found that the Courts of Lackawanna County had ruled, I believe, that the clubs were not within the quota, and the Attorney General, who I believe now is an honored member of the Superior Court of Pennsylvania, had ruled in his opinion that the clubs under this Act passed by this Legislature were within the quota.

Mr. READINGER. Mr. Speaker, may I further ask the gentleman whether prior to the meeting of that conference committee in 1939 he personally discussed that

particular legislation with other Members of this House who were not on the conference committee.

Mr. HOMER S. BROWN. Mr. Speaker, I am certain that I did, and I am certain that I imparted to them that the Conference Committee report in my opinion, that was being adopted, provided that hotels and clubs were out of the quota.

Mr. READINGER. Mr. Speaker, may I further ask the gentleman whether he attended that conference committee and joined in the report with the thought in mind that he was representing what were the wishes of the membership of this House in excluding clubs from the quota.

Mr. HOMER S. BROWN. I did, Mr. Speaker.

Mr. READINGER. I thank the gentleman.

Mr. Speaker, I have tried to bring out this information solely for the purpose of assisting, if possible, the Superior court of Pennsylvania when it comes to deciding the meaning of the 1939 quota law. I realize quite clearly that what we might have had in mind may have been different from what was said by the Act of 1939, but I reiterate that many of the finest Common Pleas Judges of this Commonwealth have ruled that clubs are not under the quota law. However, to those Members here who would like to see licenses granted to veteran's organizations, and their clubs procure liquor licenses upon application, let me remind them whether the Superior Court rules that clubs are within the quota or not, this will bring the matter to a definite conclusion, and if the Superior Court, after considering the question, comes to the conclusion that clubs are within the quota law, we will then have a definite decision to guide us in the future.

For ten years now there has been no clear cut decision, and today it doesn't look as if there ever will be. But, if the Superior Court shall rule that they are within the quota law, you will then know what your constituents want, and when you come back here again you can decide how to vote, for or against putting the clubs in the quota or taking them out.

I would like to point out one other matter before I conclude my remarks. If a person is aggrieved by a decision of the Board he may go to his County Court and he may plead his case there with the knowledge that if the Board has abused its discretion or if it has been unfair to him, he may expect to find justice in his local county court. This provision has been taken advantage of on many occasions, and while it may be argued that this will transfer from the Board to the courts the right to enforce the liquor laws, I say that there will be no abuse on the part of the courts of this provision. If the Board has fairly made out a case against an applicant or against a person violating the laws, certainly the courts will not set aside that decision of the Board. The judges of the courts reside in our respective counties, and they know the circumstances and conditions, and I think we will get more justice as far as licensees are concerned, under this act than we would get under our prior legislation. I would like to see all the Members of this House vote for these two bills. I think they will greatly improve our liquor legislation in the state of Pennsylvania and will bring about a solution to a perplexing and annoying problem, and I ask all of you to vote for these two bills.

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Berks, Mr. Readinger.

The SPEAKER. Will the gentleman from Berks permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, does the gentleman from Berks feel that by passing these two measures and giving the decision to the court, that the men sitting on the Superior Court have more knowledge than the County Courts?

Mr. READINGER. I don't believe so, no, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, does the gentleman think that he would much rather have all his decisions come from the Superior Court or from the lower courts?

Mr. READINGER. Mr. Speaker, that is a rather difficult question to answer, but the answer I would give him is, the Superior Court could not possibly determine all the matters which must be determined by the Common Pleas Court, because there are so many of those. But the Superior Court, as the gentleman knows, is a court of appellate jurisdiction and they are called upon to either correct the decisions of the lower courts or in some cases to reconcile the decisions of the lower courts. My purpose, as I stated, was to put into the hands of some other group the power to say what the laws of Pennsylvania mean on that subject.

Mr. HEATHERINGTON. Mr. Speaker, can the gentleman tell me, and will he admit that seventy percent of the county courts now eliminate the clubs from the quota act?

Mr. READINGER. Mr. Speaker, it is my recollection that about twenty-eight of the county courts have held that clubs are without the quota act and twenty-four or twenty-five have held that they are within the quota. That, therefore, would not represent seventy percent.

Mr. HEATHERINGTON. Mr. Speaker, if the Superior Court rules that clubs are definitely within the quota act, that finishes all of them, is that right?

Mr. READINGER. Mr. Speaker, that would preclude any further club from applying or obtaining a license to sell liquor.

Mr. HEATHERINGTON. One more question, Mr. Speaker. If these two bills pass, would they affect the renewal of any liquor license or any club license or any hotel license within an area of three hundred feet of a park, school or church by the Superior Court? In other words, Mr. Speaker, if today a club is situated within three hundred feet of a park, church, playground or school, and if on the application for a renewal of license some organization or individual would appeal the decision of the Liquor Board on renewal to the Superior Court, could the Superior Court also decide on that under any one of these two measures?

Mr. READINGER. Mr. Speaker, I would answer the gentleman by referring him to page three of Senate Bill 735, or Senate Bill 736, Section 7 of the act which is now begin amended, relating to license hearings and appeals from granting or refusal of license.

Line 18 on page 3 of Senate Bill 735 contains these words:

"At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof in considering the renewal of license.

The board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license."

Mr. HEATHERINGTON. Mr. Speaker, that says the board shall not refuse the renewal, but could some individual on the issuance of that renewal take it into the Superior Court? What I am interested in is the proposition of the clubs or maybe one or two men, or an organization that has a liquor license today that would be within three hundred feet of a park, school or church. On their application the Liquor Board grants the renewal, but under either one of these bills could some other individual organization take the granting of that renewal to the Superior Court for a decision?

Mr. READINGER. Mr. Speaker, I would say that if such individual would attempt to do so, he wouldn't even get there. He might get there, but he wouldn't stay there very long. I would like to read from pages three and four, Senate Bill 735, as follows:

"In considering the renewal of a license the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license."

The bill then goes on to provide for an appeal to the Court of Common Pleas or Court of Quarter Sessions, and from that Court to the Superior Court. Obviously, if this Legislature tells the Board that it may not refuse to renew a license because it may have been within three hundred feet of a school, church or playground, which may have been granted before that time, if we would tell the board not to do that, obviously the Board cannot insist.

Mr. HEATHERINGTON. Mr. Speaker, does it also say that the Legislature is telling the courts that they cannot pass on it?

Mr. READINGER. Mr. Speaker, the courts can pass on any laws which come properly before them, but the courts cannot state that any section of this bill which has become a law shall not be effective. If the Board does not refuse the license and somebody takes an appeal, the court will certainly not hold that the Board is incorrect, because it is stated in the bill that the board shall do that.

Mr. HEATHERINGTON. Mr. Speaker, does the gentleman mean that it would be impossible to the Superior Court's decision under either bill on a renewal of any license? For instance, if I objected to the Liquor Board issuing any license to a club within three hundred feet of a park, that question could not be taken to the Superior Court under these bills?

Mr. READINGER. Mr. Speaker, is the gentleman speaking of a renewal?

Mr. HEATHERINGTON. Yes, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I would say, they could not successfully prosecute an appeal to any court on that ground.

Mr. WILLIAMS. Mr. Speaker, it so happens that I too was a Member of a 1939 legislature when the quota law was passed, and we were of the opinion at that time when the bill was passed that clubs were out of the quota.

The ruling came down, of course, as Mr. Brown says, in the Lackawanna County court, and the result was that the clubs were thrown up into the air. Sometimes a

court ruled that they were within the quota and sometimes that they were not. As a result of that, we had introduced into this Legislature in 1941 by the late John Baker of Allegheny County, and myself a bill to take clubs out of the quota law. We had an agreement at that time with Governor James that he would sign the bill if we introduced it, but the Senate amended it to such a degree that they brought in any number of one man clubs, and the Governor vetoed the bill.

In my opinion these bills before us are commonly called dry bills. These bills are pointed at the clubs and I believe that the intention is to place the clubs within the quota law. My reason for making this statement is that, as the gentleman from Berks, Mr. Readinger, stated, the Attorney General of 1939 had held that the clubs were within the quota law according to the 1939 Act. I believe at the present time that the gentleman who was the attorney general in 1939 is now a member of the Superior Court of Pennsylvania, and that is why the dries are very active in trying to get through these laws which could give them the right to carry these cases to the Superior Court in order that they will get a ruling that clubs are within the quota law.

That is why I say we made a mistake the other evening when we turned down the gentleman from Dauphin, who tried to have placed in these bills an amendment to take care of the veterans' organizations. Once the Superior Court rules that clubs are within the quota law, we are going to close the doors in the faces of all the boys who fought in World War II. While they were away you promised them everything; we had a pot of gold for them when they would return, but today, when they want to form their own organization and they want to obtain their liquor license and be the same as other clubs who have been in existence for any number of years, we are going to say to them "No, you can't even have a clubroom in which to meet and fraternize; in which you would be able to buy yourselves and your friends a drink." That was why the other evening I voted in favor of the amendment; that is why a great many of us voted in favor of those amendments. I cannot see for the life of me how anybody in the liquor traffic could subscribe to the two bills before the House. I want to say that in all fairness to the veterans' organizations and I ask the membership on our side of the House to vote no on these bills.

Mr. BRANDON. Mr. Speaker, yesterday on the floor of this House, I debated against Mr. Readinger, and it was my intention at that time on the constitutional provision to have the Members of the House stand up and be counted on the question of whether or not veterans' organizations should be allowed to have a liquor license. I might say that I personally aided in setting up seventeen or eighteen AMVET organizations since the end of the war, and I am very much interested in seeing that they shall have a right to a license. I am as much interested as is Mr. Williams, the gentleman from Washington, but I am forced to agree with the gentleman from Berks, Mr. Readinger, that these bills are good bills. In the first place, they are good bills in principle.

It is my opinion that this bill does not have a very good chance of taking the veterans outside of the quota law. I say that on two bases, the fact that the then Attorney General, now a member of Superior Court, I

believe, would not be influenced, because I believe that that gentleman would disqualify himself for sitting on any case involving this subject, because he did have some interest in the case when it first came up.

In the second place, I think this is a very close question of law whether the clubs are or are not within the quota under the present interpretation by the Courts. I might say that the county courts in the state are about split evenly on this subject. I think there is an excellent chance of our Superior Court ruling that clubs are not within the quota. If they should rule that clubs are within the quota then I think that the Legislature would be in a position to decide the matter frankly, fully and definitely.

I might also say that these bills are not dry bills; these bills are good bills in principle. Our courts should have the opportunity to decide questions of law. Laws should be uniform, and when you do not have that uniformity of law throughout the state, you create contempt for the law and you create confusion. Therefore, as a matter of principle and also because I do believe the veterans of the state have a better chance of getting a liquor license and also because I regard these measures as good measures to control the traffic, I am going to vote in favor of the bill.

Mr. FRANK. Mr. Speaker, I am not appearing now in defense of the veterans. I am not representing any dries or any wets, but I am here as a Legislator trying to see the light. I would like to interrogate the gentleman from Berks, Mr. Readinger.

The SPEAKER. Will the gentleman from Berks permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. FRANK. Mr. Speaker, does the gentleman from Berks think that these bills, if passed, are going to clarify the quota situation?

Mr. READINGER. Mr. Speaker, very definitely they will.

Mr. FRANK. Mr. Speaker, how will they clarify it?

Mr. READINGER. Mr. Speaker, after they become law, if they do, if some club shall apply for a club liquor license and the Board shall refuse to grant a license and an appeal is taken to the county court of the county where the club has its headquarters, that county court will decide whether they are or are not in the quota, and an appeal will be taken by one of the two parties to the Superior Court. The Superior Court will in due course hand down a decision saying that they are in or out of the quota.

Mr. FRANK. I thank the gentleman.

That sounds very good, Mr. Speaker, but that court decision is an opinion of a group of jurists who are trying to pass on the intent of the Legislature, I believe, of 1939, when they established the quota law. I think that date is correct. I don't think perhaps in passing on that law that we should try to interpret the law, because that is the job of the courts, but the job of determining what is in the quota and what is out of the quota is our job right here, and we are ducking the issue. When I say that we are ducking the issue, I believe when the courts pass upon it, if we pass these bills, we are going to have more confusion than ever because we have now twenty-eight counties saying one thing and thirty-nine saying the other. If the courts will go through these

bills that is the way they stand, then we have an equal division. We have a number of counties saying that the courts don't know what is best for us, and people lose confidence in the courts. I believe it is better for us to face the issue, because in two years we are going to have a fight, regardless of who passes on them, whether the lower or the appellate courts. We are going to have to face this issue.

I want to leave this thought with you, that if we, by even a majority of one vote decide that clubs are in or out of the quota law, the people are going to accept it with more grace because it comes from the body which under the Constitution has been chosen to make the laws, and they are willing to abide by it, than if we say to the courts, "Here you decide something that you believe to be the opinion of a group of Legislators ten years ago."

Mr. READINGER. Mr. Speaker, I find myself in full and hearty accord with many of the things the gentleman has said. As I said the other night, I think this Legislature should say whether the clubs are in or out of the quota. I said it before on one or more occasions, I said it again the other night and I say it now.

There are at least four or five bills in this House in Committee, and also in the Senate, which seek to take all clubs out of the quota law, but we cannot get them out of Committee. If the gentleman will remember my remarks, even when we did get a bill through in this House that clubs were not within the quota law, during 1947, the bill died in the Senate. I reiterate that for ten years we have been trying to get a bill to say yes or no, and we have failed. That is the reason why I think these bills are good bills. They at least provide the means by which this question is going to be determined. I do not believe it is the courageous way to do it but I do think this, if a case goes to the Superior Court and the Superior Court should rule that the clubs are within the quota, you at least have your groups unified, one way or the other, because those counties which now can get club licenses, such as my own county, and there are about twenty-five others, have no particular interest in seeing that the Superior Court makes a decision on it so far as their clubs are concerned. They are the favored group. If the Superior Court rules that they are all within the quota, then that county will be in the same position as the other counties where they cannot get a license.

If the gentleman will see fit to bring the bill into the next session or have one brought in here, to put the clubs out of the quota, everybody will then have to ascertain how his county stands on the question. Then you are going to get a decision as to whether or not clubs are within or without, but today you cannot get enough members to agree to put them in or take them out. What the gentleman would like to see happen, I would like to see happen also, but it just doesn't happen.

I am not going into the subject on how the Superior Court will rule. My own personal preference is that they will rule clubs out of the quota. I have felt that way this Session and I also felt that way last Session, and I introduced bills during this Session to take them out. My viewpoint did not prevail in this Session. I certainly would like the people of the Commonwealth to respect the decisions of our courts and not come to me and other

Members and say "What is the matter with the courts"? If you try to explain this matter to a licensee you will find it difficult because after the end of half an hour he begins to lose the thought you are trying to convey to him.

Mr. FRANK. Mr. Speaker, I just have one thought, I would far rather have the people—I may be all wet here, but it is my own thought—I would rather have them have the poor opinion of the lower courts than our appellate courts. We are throwing into our appellate court one of the most controversial matters before us today and I do not believe it should go there. For that reason I ask the Members to vote "no" on these two bills.

Mr. HEATHERINGTON. Mr. Speaker, just one more word on what Mr. Readinger said. He believes that the Superior Court will rule clubs out of the quota act. I have all the faith in the world in the Liquor Control Board. I am not a lawyer, and the Liquor Control Board says that clubs are in the quota. My recollection of the bill is that it reads on the tail end of it, "except hotels." The other two words "and clubs" are not there. Any one here, a lawyer or not a lawyer, can read that there, that clubs are included in the quota act, but the lower courts of some counties say that the clubs are excluded, and, as the gentleman from Dauphin says, we have passed the buck for ten years to the lower courts. Now, we are going to get into the picture of passing the buck to the Superior Court, and you all have to admit that in the future you and I are going to have to stand up and add those two words in there. I still believe and feel like the gentleman from Dauphin when we did not have enough nerve to stand up and be counted, why stick it on the Superior Courts, and I ask that we defeat both bills.

Mr. READINGER. Mr. Speaker, I simply desire to make a correction. The gentleman from Allegheny, Mr. Heatherington, has stated I made a remark that I believe the Superior Court would hold clubs without the quota. I didn't say that. I said that I hoped the Superior Court would do so. I have no idea; I have formed no opinion as to what the Superior Court will do with this issue.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. Moran, Hunter and Rovanssek.

The roll was verified and was as follows:

## YEAS—146

Altshuler,	Gallagher,	Limper.	Seyler,
Amarando,	George,	Loftus,	Shoemaker,
Andrews,	Gibson,	Madigan,	Smith, C. C.,
Bane,	Glembocki,	McCormack,	Smith, W. B.,
Barkdoll,	Good,	McCullough,	Snider,
Beaver,	Goodling,	McGee,	Sollenberger,
Bednarek,	Graybill,	McKinney,	Spencer,
Blair,	Green,	McMillen,	Stank,
Bloom,	Greenwood,	Milliken,	Sternberg,
Bomberger,	Greer,	Miller,	Stimmel,
Bower,	Guarnieri,	Mills,	Stuart,
Brandon,	Guthrie,	Mintess,	Swope,
Breisch,	Hagerty,	Monroe,	Tahl,
Brown, H. S.,	Hall,	Moore, C. H.,	Taylor,
Brunner,	Hamilton,	Moore, H. A.,	Tompkins,
Cadwalader,	Harris,	Murray,	Toomey,
Clapper,	Haudenschild,	Nagel,	Varner,
Clendenning,	Helm,	Neff,	Verona,

Coleman,	Herman,	Nixon,	Wachhaus,
Cooper,	Hersch,	O'Dare,	Wargo,
Costa,	Hewitt,	O'Donnell,	Waterhouse,
Dalrymple,	Hocker,	Orban,	Watkins,
DeLong,	Hoffman,	Peta,	Weidner,
Dennison,	Jennings,	Pettigrew,	Weiss,
Depuy,	Jim,	Pfaff,	Welsh,
Driscoll,	Johnson,	Polen,	Wescott,
Duffy,	Jones, G. E.,	Price, H. W., Jr.,	Wheeler,
Dye,	Jones, J. M.,	Price, R. A.,	Wood,
Elder,	Jump,	Propert,	Worley,
Erb,	Keller,	Readinger,	Yaffe,
Ewing,	Kemp,	Reidenbach,	Yeakel,
Felton,	Kiline,	Reilly, J. M.,	Yetzer,
Ferster,	Kondrath,	Riley, R. L.,	Young,
Firmstone,	Kratz,	Robertson,	Sorg,
Fleming,	Lederer,	Rosen,	Ziegler,
Fox,	Lee,	Sax,	Speaker
Frost,	Leisey,	Scanlon,	

## NAYS—45

Breth,	Kirley,	Musto,	Royer,
Brice,	Kohl,	Najaka,	Sarra,
Bucchin,	Kolankiewicz,	Needham,	Schmidt,
Cole,	Kurtz,	Olsen,	Schuster,
Evans,	Leonard,	Petrosky,	Scott,
Filo,	Lovett,	Posta,	Thompson,
Floyd,	McNally,	Powers,	Varallo,
Frank,	Mihm,	Reese,	Wagner,
Heatherington,	Mikula,	Reynolds,	Westrick,
Hunter,	Moran,	Robbins,	Williams,
Jenkins,	Munley,	Rovansek,	Yester,
Kamyk,			

## NOT VOTING—17

Baumunk,	Cochran,	Gaffney,	Krise,
Boles,	Conway,	Harney,	Penglass,
Boorse,	Dougherty,	Hoggard,	Pentrack,
Brown, W. E.,	Flack,	Kent,	Reagan,
			Rose,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 736, as follows:

An Act to amend the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred three of the act approved the twenty-ninth day of November one thousand nine

hundred thirty-three (1933-34 P. L. 15) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the state government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) is hereby further amended to read as follows

Section 403 Issuance of Hotel Restaurant and Club Liquor Licenses Upon receipt of the application the proper fees and bond and upon being satisfied of the truth of the statements in the application that the applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person will be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter permitted and that the applicant is a person of good repute that the premises applied for meet all the requirements of this act and the regulations of the board and the applicant seeks a license for a hotel restaurant or club as defined in this act the board shall in the case of a hotel or restaurant grant and issue to the applicant a liquor license and in the case of a club may in its discretion issue a license. Provided however That in the case of any new license or the transfer of any license to a new location the board may in its discretion grant or refuse such new license or transfer if such place proposed to be licensed is within three hundred feet of any church hospital charitable institution school or public playground or if such new license or transfer is applied for a place where the principal business is the sale of liquid fuels and oil And provided further That the board shall not issue new licenses in any license district more than twice each license year effective from specific dates fixed by the board and new licenses shall not be granted unless the application thereof shall have been filed at least thirty days before the effective date of the license

Section 2 Section four hundred four of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 688) is hereby further amended to read as follows

Section 404 License Hearings Appeals from the Grant or Refusal of Board to Issue Renew or Transfer Licenses The Board may of its own motion and shall upon the written request of any applicant for club hotel or restaurant liquor license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for liquor license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof in considering the renewal of a license the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license

If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application. In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant. Any applicant who has appeared before the board or any agent thereof at any hearing as above provided who is aggrieved by the refusal of the board to issue a hotel or restaurant or club liquor license or to renew or transfer a hotel restaurant or club liquor license may appeal or any church hospital charitable institution school or public playground located within three hundred feet of the premises applied for aggrieved by the action of the board in granting the issuance of a new hotel restaurant or club liquor license or the transfer of a hotel restaurant or club liquor license may take an appeal limited to the question of such grievance within twenty days from date of refusal or grant to the court of quarter sessions or the county court of Allegheny County or the county in which the hotel or restaurant or club is located. Such appeal shall be upon petition of the [applicant] aggrieved party who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice. The court shall hear the application de novo on questions of fact administrative discretion and such other matters as are involved at such time as it shall fix of which notice shall be given to the board. The court shall either sustain [the refusal] or overrule the action of the board [or] and either order or deny the issuance of a new license or the renewal or transfer of the license to the applicant [There shall be no further appeal]. Any appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise. The parties to the proceeding may within thirty days from the filing of the order or decree of said court file an appeal therefrom to the Superior Court.

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction.

Section 3 Subsection (a) of section four hundred eight of said act as last amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) is hereby further amended to read as follows:

Section 408 Licenses Not Assignable Transfers (a) licenses issued under this act may not be assigned. The board is hereby authorized to transfer any license from one person to another or from one place to another within the same municipality or both as the board may determine but no transfers shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not originally have been issued lawfully. Upon any refusal to grant a transfer or upon the grant of any transfer the [person] party aggrieved shall have the right to appeal to the court of quarter sessions [in the same manner as herein provided for appeals from refusals to grant licenses. The action of the court of quarter sessions shall be final] and therefrom to the Superior Court in the manner provided in section four hundred four hereof.

Section 4 Section four hundred ten of said act as last amended by the act approved the sixteenth day of April one thousand nine hundred forty-three (P. L. 60) and the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 688) is hereby further amended to read as follows:

Section 410 Revocation and Suspension of License Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws or any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of liquor or malt or brewed beverages by any licensee his officers servants

agents or employees or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked. Hearings on such citation shall be held in the same manner as provided herein for hearings on applications for license. Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises. Such suspensions and revocations shall not go into effect until twenty days have elapsed from the date of notice of issuance of the boards' order during which time the licensee may take an appeal as provided for in this act. When a license is revoked the licensee's bond may be forfeited by the board. Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked. In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within said year. In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order. In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses upon appeal the court so appealed to shall in the exercise of its discretion sustain reject alter or modify the findings conclusions and penalties of the board based on the findings of fact and conclusions of law as found by the court. Such appeal as aforesaid shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise. The said licensee or the board may within thirty days from the filing of the order or decree of said court file an appeal therefrom to the Superior Court. In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension. In the case of hotel restaurant and club licensees the offer in compromise shall be at the rate of ten dollars for each day of suspension and in the case of importers and sacramental wine licensees the offer in compromise shall be at the rate of thirty dollars per day. No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of one hundred days.

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction.

Section 5 The provisions of this amendatory act shall not apply to nor affect any application for the grant of a license or the renewal or transfer thereof made or pending before the Pennsylvania Liquor Control Board or any appeal made to the court from action of the board before the effective date of this act.

Section 6 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—146

Altshuler,	Gallagher,	Limper,	Seyler.
Amarando,	George,	Loftus,	Shoemaker.
Andrews,	Gibson,	Madigan,	Smith, C. O.
Bane,	Glembocki,	McCormack,	Smith, W. B.
Barkdoll,	Good,	McCullough,	Snider.
Beaver,	Goodling,	McGee,	Sollenberger.
Bednarek,	Graybill,	McKinney,	Spencer.
Blair,	Green,	McMillen,	Stank.
Bloom,	Greenwood,	Miller,	Sternberg.
Bomberger,	Greer,	Milliken,	Stimmel.
Bower,	Guarneri,	Mills,	Stuart.
Brandon,	Guthrie,	Minness,	Swope.
Brelsch,	Hagerty,	Monroe,	Tahl.
Brown, H. S.,	Hall,	Moore, C. E.,	Taylor.
Brunner,	Hamilton,	Moore, H. A.,	Tompkins.
Cadwalader,	Harris,	Murray,	Toomey.
Clapper,	Haudenschild,	Nagel,	Varallo.
Clendenning,	Helm,	Neff,	Varnier.
Coleman,	Herman,	Nixon,	Wachhaus.
Cooper,	Hersch,	O'Dare,	Wagner.
Costa,	Hewitt,	O'Donnell,	Waterhouse.
Dalrymple,	Hocker,	Orban,	Watkins.
DeLong,	Hoffman,	Peta,	Weldner.
Dennison,	Jennings,	Pettigrew,	Weiss.
Depuy,	Jim,	Pfaff,	Welsh.
Driscoll,	Johnson,	Polen,	Wescott.
Duffy,	Jones, G. H.,	Price, H. W., Jr.,	Wheeler.
Dye,	Jones, J. M.,	Price, R. A.,	Wood.
Elder,	Jump,	Propert,	Worley.
Erb,	Keller,	Readinger,	Yaffe.
Ewing,	Kemp,	Reidenbach,	Yeakel.
Felton,	Kline,	Reilly, J. M.,	Yetzer.
Ferster,	Kondrath,	Riley, R. L.,	Young.
Firmstone,	Kratz,	Robertson,	Ziegler.
Fleming,	Lederer,	Rosen,	Sorg.
Fox,	Lee,	Sax,	Speaker
Frost,	Lelsey,	Scanlon,	

## NAYS—45

Breth,	Kirley,	Musto,	Royer,
Brice,	Kohl,	Najaka,	Sarraf.
Bucchin,	Kolankiewicz,	Needham,	Schmidt.
Cole,	Kurtz,	Olsen,	Schuster.
Evans,	Leonard,	Petrosky,	Scott.
Filo,	Lovett,	Posta,	Thompson.
Floyd,	McNally,	Powers,	Verona.
Frank,	Mihm,	Reese,	Wargo.
Heatherington,	Mikula,	Reynolds,	Westrick.
Hunter,	Moran,	Robbins,	Williams.
Jenkins,	Munley,	Rovansek,	Yester.
Kamyk,			

## NOT VOTING—17

Baumunk,	Conway,	Harney,	Penglase.
Boles,	Dougherty,	Hoggard,	Pentrack.
Boorse,	Flack,	Kent,	Reagan.
Brown, W. E.,	Gaffney,	Krise,	Rose.
Cochran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 747, as follows:

An Act to amend section three hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first

and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to every county controller for the expenses pertaining to the institution district for a temporary period

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" is hereby amended to read as follows

Section 303 Salaries and Expenses of Officers For services as an officer of an institution district each commissioner of a seventh class county shall receive an additional annual salary of eight hundred dollars (\$800) and each commissioner of an eighth class county shall receive an additional annual salary of three hundred dollars (\$300). In every other county the commissioners and in every county the treasurer shall receive no additional compensation for services to the institution district. In every county the commissioners and treasurer shall be allowed their necessary expenses incurred in services for the institution district. Every county controller shall receive an allowance for expenses incurred in connection with the institution district as follows: (1) In second class counties two thousand dollars (\$2000) per annum (2) In third class counties eighteen hundred dollars (\$1800) per annum (3) In fourth class counties fifteen hundred dollars (\$1500) per annum (4) In fifth class counties twelve hundred dollars (\$1200) per annum (5) In sixth class counties one thousand dollars (\$1000) per annum (6) In seventh class counties five hundred (\$500) per annum and (7) In eighth class counties seven hundred dollars (\$700) per annum

Section 2 The provisions of this act shall become effective on July first one thousand nine hundred forty-nine and the additional expense allowance provided for herein shall terminate at the end of two (2) years after the effective date

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WEISS. Mr. Speaker, Senate Bill 747, Printer's No. 514, gives an increase to the County Controllers of second class counties, down to and including eighth class counties. The increases range from two thousand dollars per year for counties of the second class down to seven hundred dollars per year for counties of the eighth class, for doing nothing but signing checks for the institution districts.

We have seen quite a bit of salary raising in this Session. Some were justified and some were unjustified. Here is a case of an increase for a controller that will put his salary above the district attorney or anybody else in the county. If the controller deserved it on the basis of work performed going out to the institution district, it wouldn't be so bad, but just because he signs some checks for that institution district, to increase their salary eighteen hundred dollars or two thousand dollars, certainly does not seem right and it is not fair to the taxpayers of the counties involved.

This bill provides that

"The provisions of this Act shall become effective on July 1, 1949, and the additional expense allowance provided for herein shall terminate at the end of two years after the effective date."

We have a good controller in our county, a personal friend of mine. If he did something to justify him getting this extra money, I would be glad to favor him, but an increase of eighteen hundred dollars sounds ridiculous to me. I would say that it is high time the Legislature, even at this late hour, shall by its vote say that it does not intend passing out a bonus to the county controller of thirty-six hundred dollars for a two-year period, or four thousand dollars for a two-year period, and which over a period of two years costs the taxpayers of Pennsylvania between seventy-five thousand and one hundred thousand dollars. I ask the Members of the House to vote against a bill of this type.

Mr. ZIEGLER. Mr. Speaker, speaking on behalf of these bills, I would like to call to the attention of the Members the fact that we recently passed, I believe, in House Bill 1113, a similar increase to the Commissioners of the same counties that you are now asked to deny an increase in favor of the controllers, that is in the nature of expense for a two-year period. I do not think that the increase asked for is unreasonable, especially in view of some of the very substantial increases that we have granted to some certain officers of the Commonwealth. Inasmuch as we have already passed a measure which would give an increase to the commissioners, I now ask you to be consistent and give this increase to the county controllers of the same counties in which the commissioners will receive an increase, and I ask you to vote "aye" on this bill.

Mr. WEISS. Mr. Speaker, as far as House Bill 1113 is concerned in comparing the work of the controllers with that of the county commissioners in reference to institution districts, there is a world of difference. They go out into the various institution districts and they spend time there; they see what has to be done in reference to those districts? A controller does nothing but check

the records, check the books and sign checks. In our district our county commissioners spend a day and a half or two days going into the institution districts and you can't say that a controller does the same thing. The controller does not earn this extra bonus.

Mr. ZIEGLER. Mr. Speaker, the gentleman is absolutely correct. He said there is a lot of difference between the work done by the commissioners and the controller. To my personal knowledge, I know that our own controller is in the office every day. Sometimes, the commissioners are and sometimes they are not. I don't know what happens in other counties but I am inclined to believe that the same situation prevails there.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—146

Altshuler,	Gibson,	McCormack,	Sax,
Amarando,	Good,	McCullough,	Scanlon,
Bane,	Graybill,	McMillen,	Schmidt,
Barkdoll,	Green,	McNally,	Schuster,
Bednarek,	Guthrie,	Mihm,	Scott,
Blair,	Hagerty,	Mikula,	Seyler,
Bloom,	Hall,	Miller,	Smith, C. C.,
Bower,	Hamilton,	Milliken,	Snider,
Brandon,	Harris,	Mills,	Spencer,
Brice,	Haudenshield,	Mintess,	Stank,
Brown, H. S.,	Heatherington,	Monroe,	Sternberg,
Bucchin,	Helm,	Moore, C. E.,	Stimmel,
Clapper,	Herman,	Moore, H. A.,	Stuart,
Clendenning,	Hersch,	Moran,	Swope,
Costa,	Hoffman,	Munley,	Tahl,
Dalrymple,	Hoggard,	Najaka,	Taylor,
DeLong,	Hunter,	Needham,	Thompson,
Dennison,	Jenkins,	Neff,	Toomey,
Depuy,	Jim,	Nixon,	Varallo,
Driscoll,	Johnson,	O'Dare,	Wachhaus,
Duffy,	Jones, G. M.,	O'Donnell,	Wagner,
Dye,	Jones, J. M.,	Olsen,	Waterhouse,
Erb,	Jump,	Orban,	Watkins,
Evans,	Kamyk,	Peta,	Weidner,
Ewing,	Keller,	Petrosky,	Welsh,
Felton,	Kemp,	Pfaff,	Westrick,
Filo,	Kohl,	Polen,	Wheeler,
Firmstone,	Kolankiewicz,	Posta,	Williams,
Flack,	Kondrath,	Powers,	Yaffe,
Fleming,	Kurtz,	Price, R. A.,	Yeakel,
Floyd,	Lederer,	Reader,	Yester,
Fox,	Lee,	Reese,	Yetzer,
Frank,	Lelsey,	Robbins,	Young,
Frost,	Limper,	Robertson,	Ziegler,
Gaffney,	Loftus,	Rosen,	Sorg,
Gallagher,	Lovett,	Rovansek,	Speaker
George,	Madigan,	Sarra,	

#### NAYS—30

Andrews,	Cole,	Kratz,	Royer,
Baumunk,	Cooper,	McGee,	Smith, W. B.,
Beaver,	Glembocki,	Musto,	Tompkins,
Bomberger,	Hewitt,	Nagel,	Verona,
Boorse,	Hocker,	Propert,	Weiss,
Brelsch,	Jennings,	Reagan,	Wood,
Brunner,	Kirley,	Riley, R. L.,	Worley,
Cadwalader,	Kline,		

#### NOT VOTING—32

Boles,	Ferster,	Leonard,	Reilly, J. M.,
Breth,	Goodling,	McKinney,	Reynolds,
Brown, W. M.,	Greenwood,	Murray,	Rose,
Cochran,	Greer,	Penglase,	Shoemaker,
Coleman,	Guarnieri,	Pentrack,	Sollenberger,
Conway,	Harney,	Pettigrew,	Varnier,
Dougherty,	Kent,	Price, H. W., Jr.,	Wargo,
Elder,	Krise,	Reidenbach,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

### SUBSTITUTION OF APPOINTMENT ON CONFERENCE COMMITTEE ON SENATE BILL NO. 585

The SPEAKER. Without objection, the Chair will substitute the name of the gentleman from Cambria, Mr. Andrews, for the name of the gentleman from Philadelphia, Mr. Rose, as a conferee on the part of the House on the subject of the differences existing between the House and the Senate on Senate Bill No. 585. The Chair hears no objection.

### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 896, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions for the classification of school districts. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two hundred two two hundred three two hundred twenty-nine three hundred two three hundred fifteen three hundred sixteen and three hundred seventeen of the act approved the tenth day of March on thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 202 Classification The several school districts of the Commonwealth are hereby divided into [four] five classes as follows

Each school district having a population of one million five hundred thousand [(500,000)] (1,500,000) or more shall be a school district of the first class

Each school district having a population of five hundred thousand (500,000) shall be a school district of the first class A

Each school district having a population of thirty thousand (30,000) or more but of less than five hundred thousand (500,000) shall be a school district of the second class

Each school district having a population of five thousand (5000) or more but of less than thirty thousand (30,000) shall be a school district of the third class

Each school district having a population of less than five thousand (5000) shall be a school district of the fourth class

Section 203 Creation of New Cities Boroughs and Townships When a new school district is formed by the creation of a new city borough or township the court of common pleas having jurisdiction shall determine and enter in its decree the class of school districts to which such new district if formed shall belong and if of the first first class A second or third class it shall thereupon become a new school district of such class If the newly created city borough or township would constitute a school district of the fourth class the court of common pleas having jurisdiction shall so certify and a new school district shall be formed only if and when it is approved by the State Council of Education as hereinafter provided

Section 229 Annexation to District of First Class Whenever hereafter the territory comprising a school district of the second third or fourth class is annexed to a city

comprising a school district of the first class or of the first class A the annexed school district shall immediately become merged in and become a part of said school district of the first class or of the first class A

Section 302 Number and Appointment in Districts First Class and First Class A Terms of Office In each school district of the first class or of the first class A the board shall be known as the "Board of Public Education" and shall consist of fifteen (15) school directors whose term of office shall be six (6) years The terms of five of the members shall expire on the second Monday of November of each odd numbered year as now provided by law The judges of the courts of common pleas of the county in which such school district is situated shall in October of every odd numbered year appoint five (5) members for terms of six (6) years Their term of office shall begin on the second Monday of November next following their appointment

Section 315 Filling of Vacancies In case any vacancy shall occur in any board of school directors by reason of death resignation removal from the district or otherwise such vacancy shall in a school district of the first class or of the first class A be filled for the unexpired term by the court of common pleas of the county in which such school district is situated and in a school district of the second third or fourth classes the remaining members of the board of school directors shall by a majority vote thereof fill such vacancy within thirty (30) days thereafter In a district of the second third or fourth class the person selected to fill such vacancy shall hold his office if the term thereof so long continues until the first Monday of December after the first municipal election occurring more than thirty (30) days after his appointment At such election an eligible person shall be elected for the remainder of the unexpired term If by reason of a tie vote or otherwise such vacancy shall not have been filled by the board of school directors within thirty (30) days after such vacancy shall have occurred the court of common pleas of the proper county upon the petition of ten or more resident taxpayers shall fill such vacancy by the appointment of a suitable person for the unexpired term When any member of a board of school directors heretofore or hereafter enlists or is inducted into the military or naval forces of the United States in time of war a temporary vacancy shall be declared which shall be filled by the remaining members of the board or the court as the case may be until the return of such member of the board from the military or naval service or until the expiration of the term for which he shall have been elected whichever shall be the shorter period

Section 316 Vacancies in Majority of Members In case vacancies occur whereby the offices of a majority of the members of any board of school directors other than the board of school directors of a school district of the first class of the first class A becomes vacant the remaining members shall fill such vacancies one at a time giving the new appointee such reasonable notice of his appointment as to enable him to meet and act with the then qualified members of the board in making further appointments until a majority of the board has been secured when such majority shall fill the remaining vacancies at a meeting attended by the majority of said board All appointees shall receive a majority of the votes of the members present at any such meeting The persons selected to fill such vacancies shall hold their offices if the terms thereof continue so long until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment at which election eligible persons shall be elected to fill the unexpired terms

Section 317 Vacancies in All Members If at any time vacancies exist or occur in the membership of all the members of any board of school directors in any school district other than a school district of the first class or of the first class A the court of common pleas of the county in which such district or the largest part in area thereof is located shall appoint a board of properly quali-

fied persons who shall serve if the terms thereof continue so long until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment at which election a board of school directors for such district shall be elected as herein provided in such manner that the number and terms of those whose places are to be filled at each succeeding municipal election shall be the same as the number and terms of those whose places are filled at the corresponding election in other school districts of the same class. Whenever a vacancy of the entire membership of a board of school directors in any school district of the fourth class occurs the county superintendent of school may enter and take full charge of and at the expense of the district maintain the schools thereof in accordance with the provisions of the school laws of the Commonwealth under the direction of the Superintendent of Public Instruction and may continue in charge thereof until a board of school directors has been appointed and has qualified.

Section 2 Until otherwise provided by law school districts of the first class A shall have all the powers privileges and prerogatives now provided by and shall be subject to the laws of this Commonwealth and regulations promulgated thereunder relating to school districts of the first class except that such acts as applied to school districts of the first class with a population of less than one million five hundred thousand (1,500,000) shall apply only to school districts of the first class A and such acts as applied to school districts of the first class with a Population of one million five hundred thousand (1,500,000) or more shall apply only to school districts of the first class

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOMER S. BROWN. Mr. Speaker, we are about to finish the calendar for this Session of the General Assembly in the House, and we are about to adjourn sine die. It is to be regretted that in the confusion which ordinarily comes with the moment of adjournment, we have on the calendar as one of the last bills, one of the most important bills presented in this Session of the General Assembly.

Senate Bill 896 separates the school districts of the first class, and makes the school district of Pittsburgh a school district First Class-A, so that we would have, if this bill passes, in Pennsylvania, five classes of school districts instead of four. This bill represents a distinct step backward. All of the Members of this House have been interested and have passed bills in an attempt to consolidate the districts in Pennsylvania, for we know that in consolidation we have uniformity, we have strength and we have efficiency. In division we have inefficiency and we have waste and we have weakness.

This bill was introduced in the Senate on April 11, 1949; was reported out on April 12; passed third reading in the Senate on April 22, and is now before us for third reading and final passage on April 28.

This bill, has not been passed upon by any educational organization interested in education in the Commonwealth of Pennsylvania. I am not speaking now as a member of the school board of the city of Pittsburgh, of which I have the honor to be a member, but I say to you, and I say this without casting any reflection on any member of this House or any member of the Senate or any man living or dead, this bill was initiated by certain politicians without regard to the welfare of the educational

system of this Commonwealth. No one has been consulted that I know of that could officially say that this is in the interest of the educational system of this Commonwealth. I think, because of that reason, unless somebody can show me a good reason why it should be done, we ought to say in no uncertain terms that we are not going to turn the clock backwards but that we are going forward in the Commonwealth of Pennsylvania.

Mr. BRANDON. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Smith.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. CHARLES C. SMITH. I shall, Mr. Speaker.

Mr. BRANDON. Mr. Speaker—

Mr. HOMER S. BROWN. May I ask the gentleman from Allegheny, Mr. Brandon, if he will yield at this point.

Mr. BRANDON. Mr. Speaker, if the gentleman from Allegheny, Mr. Brown, insists, I will, Mr. Speaker.

Mr. HOMER S. BROWN. Mr. Speaker, if the gentleman will yield for just a moment until I can have a conference with him—we are not trying to deny him the floor, but if he will yield for just a moment, I am sure that the Chair will grant him the courtesy of being recognized in a moment or two.

The SPEAKER. The Chair will do so.

Mr. FLEMING. Mr. Speaker, I heartily concur in the statements made by my colleague from Allegheny, Mr. Brown. I think this would be a distinct step backward in the educational system of Pennsylvania. I can see no reason for the separation. I think it was ill advised. I agree with the gentleman from Allegheny, Mr. Brown, that the proper authorities were not consulted. I cannot see that any good can be accomplished, and I urge the members on our side of the House particularly to vote against this measure.

Mr. BRANDON. Mr. Speaker, I have only this to say, that these classifications in school districts mean nothing except in regard to registration. There is no fundamental difference between a school in Philadelphia and Pittsburgh. They do not have different objectives. This bill only has to do with what happens in this Legislature here and no place else. Therefore, I ask the gentlemen of this House to vote against this bill for this reason. So far there have been no fights over any political discussions and no trouble has ever arisen in this House as between the political parties concerning the schools in the state of Pennsylvania on a straight party measure, especially if it concerns first class school districts. If we pass this legislation I am afraid that the schools will be injected into the political arena. Putting schools into the political arena, as I see it, is a bad thing to do. Therefore, I ask this House to vote against this bill.

Mr. CHARLES C. SMITH. Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Schmidt.

Mr. SCHMIDT. Mr. Speaker, I want to thank the gentleman from Philadelphia, Mr. Smith, for giving me this opportunity to express my approval of the sentiments expressed by the gentleman from Allegheny, Mr. Brown.

I want to say to you Members of the House, before we close this matter—I want to take this opportunity to say that of all of the Members sitting in this House in this Session I must say that I have had the highest regard for my good friend, the gentleman from Allegheny, Mr.

Brown. I listened particularly to his council and advice and when it comes to matters of education, because of all types of legislation that the gentleman from Allegheny, Mr. Brown, may be interested in, education is first and uppermost in his mind. I can say to you that regardless of what side of the House we are on, when Homer Brown gets up and speaks either in behalf of or in opposition to a certain piece of legislation that deals with the educational system of the Commonwealth of Pennsylvania, you should give him your ear and deliberate up what he tells you.

It so happens that I also am in opposition to this bill. Teachers and all those connected with the schools do not want to see a bill of this type pass through this Legislature, and I say, based upon what representative Brown has told you, please vote this bill down.

Mr. CHARLES C. SMITH. Mr. Speaker, I have no desire to enter into a debate with the very eminent and capable gentleman from Allegheny, Mr. Brown, but I do have to say this, I know, at least I have been told by very eminent people, if this bill does not pass, there is a chance of the twenty-four million dollar program that we passed in this House for the teachers of Philadelphia failing.

The gentleman spoke of turning the clock back. I am very much afraid that we will have to turn this clock back again if the teachers of Philadelphia find out that there is a chance of their twenty-four million dollar program failing. We need this money. The tax program just passed depends upon this bill entirely. If this bill does not pass I can only say one thing, we will have to turn this clock back for a few more weeks in my opinion or have a special session. We have need of this money for our teachers; the teachers need the money. This program has the approval of the Board of Education in Philadelphia. We have to have this bill in order to make our promise good. Whether it is constitutional, or whether it is a step backwards, I believe is secondary to the fact that we have to pay our teachers and we need our twenty-four million dollars to do it, and this is the bill that is going to solve that problem.

Mr. HOMER S. BROWN. Mr. Speaker, we feel grateful to the gentleman from Allegheny, Mr. Schmidt; we also have the highest and warmest and personal regards for the gentleman from Philadelphia, Mr. Smith, and he has stated correctly that a tax question is involved.

Let me say to this House that that same tax question was involved in 1947, and there was written into the law a provision whereby the city of Pittsburgh school district and the city of Philadelphia school district did not have to assess the same taxes. We relied on it then at the suggestion of the authorities of the city of Philadelphia, and nothing happened and we did not have to have a separation. They ought to be able to rely upon the same suggestion that they made us rely on in 1947, without having to have a separation.

Mr. CHARLES C. SMITH. Mr. Speaker, again I want to agree partly with the gentleman from Allegheny, Mr. Brown. What he says is perfectly true; there is no denying that. But I must also tell Mr. Brown and remind him that the laws of 1947 have never been tested in the courts and we don't know whether they would be declared unconstitutional or not, and we just cannot take that chance. Incidentally, the bill of 1949 is a little bit different from the Act of 1947, and we do not know whether

that bill is constitutional. I can say thank God, nobody ever made a test on it.

Mr. SCANLON. Mr. Speaker, I regret that we have to take this action. It has been a pleasure working with the school district of the city of Pittsburgh. We have always gotten along well together but for the reasons just stated by the gentleman from Philadelphia, Mr. Smith, if these bills would be put in jeopardy by a court decision the school teachers of Philadelphia would be deprived of their salaries, and for those reasons, we, the Democrats of Philadelphia, are going to support this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—121

Altshuler,	Goodling	Lovett,	Rose,
Amarando,	Graybill,	McCormack,	Rosen,
Barkdoll,	Green,	McCullough,	Royer,
Baumunk,	Greenwood,	McGee,	Sax,
Bednarek,	Guarnieri,	Mikula,	Scanlon,
Blair,	Guthrie,	Miller,	Scott,
Bomberger,	Hagerty,	Milliken,	Shoemaker,
Bower,	Hall,	Mills,	Smith, C. C.,
Brunner,	Helm,	Mintess,	Sollenberger,
Cadwalader,	Herman,	Monroe,	Spencer,
Clapper,	Hersch,	Moore, C. E.,	Sternberg,
Clendenen,	Hocker,	Munley,	Stimmel,
Conway,	Hoffman,	Murray,	Tahl,
Costa,	Jim,	Najaka,	Taylor,
Dalrymple,	Johnson,	Needham,	Tompkins,
Dennison,	Jones, G. E.,	O'Dare,	Toomey,
Depuy,	Jump,	O'Donnell,	Varallo,
Dougherty,	Keller,	Penglase,	Varnier,
Driscoll,	Kemp,	Peta,	Wachhaus,
Duffy,	Kent,	Petrosky,	Wargo,
Felton,	Kline,	Pettigrew,	Waterhouse,
Ferster,	Kohl,	Pfaff,	Watkins,
Firmstone,	Kolankiewicz,	Posta,	Welsh,
Flack,	Kratz,	Price, H. W., Jr.,	Wescott,
Floyd,	Kurtz,	Price, R. A.,	Wood,
Fox,	Lederer,	Probert,	Yaffe,
Frank,	Lee,	Reidenbach,	Yeakel,
Frost,	Leisey,	Reilly, J. M.,	Young,
Gallagher,	Limper,	Riley, R. L.,	Ziegler,
George,	Loftus,	Robbins,	Sorg,
		Robertson,	Speaker

## NAYS—67

Andrews,	Gibson,	McMillen,	Schuster,
Beaver,	Glembocki,	McNally,	Seyler,
Brandon,	Good,	Mihm,	Smith, W. B.,
Breisch,	Greer,	Moran,	Snider,
Brice,	Hamilton,	Nagel,	Stuart,
Brown, H. S.,	Harris,	Neff,	Swope,
Bucchin,	Haudenschild,	Nixon,	Thompson,
Cole,	Heatherington,	Olsen,	Verona,
Cooper,	Hewitt,	Orban,	Wagner,
DeLong,	Hunter,	Polen,	Weidner,
Dye,	Jenkins,	Powers,	Weiss,
Erb,	Jones, J. M.,	Readinger,	Westrick,
Evans,	Kamyk,	Reese,	Wheeler,
Ewing,	Kirley,	Reynolds,	Williams
Filo,	Kondrath,	Rovansek,	Worley,
Fleming,	Leonard,	Sarrafi,	Yester,
Gaffney,	Madigan,	Schmidt	

## NOT VOTING—20

Bane,	Brown, W. E.,	Hoggard,	Musto,
Bloom,	Cochran,	Jennings,	Pentrack,
Boles,	Coleman,	Krise,	Reagan,
Boorse,	Elder,	McKinney,	Stank,
Breth,	Harney,	Moore, H. A.,	Yetzer,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

### MISERICORDIA COLLEGE WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House a delegation of students from Misericordia College, Dallas, Luzerne County. The students are delegates to the Intercollegiate Conference on Government. They are the guests of the gentleman from Luzerne, Mr. Flack.

### LITTLESTOWN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House a delegation of seventy-five students from the ninth grade class of the Littlestown High School, Adams County, under the supervision of their teachers, Prof. Basehoar and Prof. Schellhose. They are the guests of the gentleman from Adams, Mr. Worley.

### PETERS TOWNSHIP HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House students from the Peters Township High School, McMurray, Washington Township, under the supervision of their teacher, Prof. Day. They are the guests of the Members from Washington County.

### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 871

Mr. McMILLEN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 871.

The report was read by the Clerk.

The SPEAKER. The report will lie over for printing.

Mr. WATKINS IN THE CHAIR.

### SENATE MESSAGES

#### AMENDED HOUSE BILL RETURNED FOR CONFERENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 312.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" creating the State Board of Chiropractic Examiners and defining its powers and duties

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 2, Page 7, lines 15 and 16 by inserting after the word "receive" the following: "actual traveling expenses and"; line 19 after the word "Instruction" and Page 8, lines 1, 2, and 3 by striking out the following "in addition the members of the" and all of lines 1, 2, and 3, on Page 8.

On the question,

Will the House concur in the amendment made by the Senate?

Mr. BANE. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Botes,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Stenberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clelending,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennisom,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1055.

An Act providing and regulating State assistance including slum clearance and redevelopment and making an appropriation

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment

The Clerk read the amendment as follows:

Amend Section 7, Page 8 by inserting after line 13, the following:

"The total amount of all grants made by the State Planning Board for slum clearance and redevelopment pursuant to section four (B) of this act shall not exceed thirty per cent of the amount appropriated by this act"

On the Question,

Will the House concur in the amendment made by the Senate?

Mr. BANE. Mr. Speaker, I request that the House concur in the amendment made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsich,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenen,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Wells,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,

Fleming,  
Floyd,  
Fox,  
Frank,

Lee,  
Lelsey,  
Leonard,  
Limper,

Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Young,  
Ziegler,  
Sorg,  
Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1136.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, Page 2, lines 1 and 2 by striking out after the word "of" the following: "one hundred fifty million dollars (\$150,000,000)" and inserting in lieu thereof "one hundred sixty million dollars (\$160,000,000)."

Amend Section 4, Page 4 by inserting in line 4 after the word "care" the following:

"Provided however that if the receipt of Federal funds is delayed during the month of May one thousand nine hundred forty-nine for the payment of assistance and administrative expenses as provided by the Public Assistance Law there is hereby appropriated out of the moneys appropriated by section one of this act sufficient moneys to meet the deficiency caused by the delay in the receipt of Federal funds

"Section 5 The provisions of this act shall become effective immediately upon enactment"

On the Question,

Will the House concur in the amendments made by the Senate?

Mr. BANE. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Beaver,	Glembocki,	McGee,	Sax,
Bednarek,	Good,	McKinney,	Scanlon,
Blair,	Goodling,	McMillen,	Schmidt,
Bloom,	Graybill,	McNally,	Schuster,
Boles,	Green,	Mihm,	Scott,
Bomberger,	Greenwood,	Mikula,	Seyler,
Boorse,	Greer,	Miller,	Shoemaker,
Bower,	Guarnieri,	Milliken,	Smith, C. C.,
Brandon,	Guthrie,	Mills,	Smith, W. B.,
Brelsich,	Hagerty,	Mintess,	Snider,
	Hall,	Monroe,	Sollenberger,

Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnar,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1137.

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment. The Clerk read the amendment as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words "one million dollars (\$1,000,000)" and inserting in lieu thereof the words "seven hundred fifty thousand."

On the question,

Will the House concur in the amendment made by the Senate?

Mr. BANE. Mr. Speaker, I request that the House concur in the amendment made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,

Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnar,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1216.

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, by inserting after the word "taxes" the words "of certain political subdivisions."

Amend Section one, page 2, line 4, by inserting after the word "years" the words "except those imposed on unpaid delinquent taxes by cities of the first class and

by school districts of the first class having a population in excess of one million five hundred thousand persons"; page 2, line 12, by striking out after the word "notified"; the words "the receiver of taxes in counties of the first class and in all other counties";

Amend Section 3, page 3, line 14, by striking out after the word "the" the words "receiver of taxes";

Amend Section 5, page 5, by striking out all of line 3, and the words "counties the" on line 4, and inserting in lieu thereof the word "the"; page 5, line 11, by striking out after the word "collector" the words "the receiver or receivers of taxes".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BANE. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Buchlin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglass,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

#### SENATE BILL No. 170.

An Act to amend section ninety-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by placing a limit on the amount which may be spent for hotel and traveling expenses and cost of annual meetings

#### SENATE BILL No. 193.

An Act concerning Notaries Public and amending revising consolidating and changing the law relating thereto

#### SENATE BILL No. 243.

An Act to consolidate amend and revise the penal laws of the Commonwealth

#### SENATE BILL No. 376.

An Act to amend sections one thousand one hundred sixty-one and one thousand one hundred sixty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the employment of a supervising principal granting certain powers and defining his duties

#### SENATE BILL No. 647.

An Act relating to insurers not authorized to transact business in this State providing for actions in this State against and for the service of process upon such insurers prescribing how a defense may be made by such insurers and providing for the allowance of attorneys fees in actions against such insurers.

#### SENATE BILL No. 797.

An Act to further amend section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidate primary and election expenses and election contests creating and defining membership in county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compensation of judges inspectors clerks and machine inspectors and for mileage to persons furnishing transportation for transmitting returns and ballot boxes at primaries and elections in all counties except in counties of the first and second class

#### SENATE BILL No. 834.

An Act to reenact and amend the title and the act approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department

of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by including in the plan certain dental services; defining "dental services" and further defining "medical services."

#### SENATE BILL No. 835.

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State Departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by making further provisions relating to nonprofit medical service corporations, by extending the provisions of said act relating to the furnishing of medical services by nonprofit medical service corporations so as to include the furnishing of certain dental services to subscribers and their dependents, and by providing that the articles of incorporation of existing nonprofit medical service corporations are amended by the provisions of this act so as to authorize the furnishing of such dental services by doctors of dental surgery

#### SENATE BILL No. 853.

An Act to amend section seven hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the leasing of school property for any educational purpose and validating prior leases

#### SENATE BILL No. 928.

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and

motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further defining "Judgment" requiring additional information in accident reports providing for the determination of security by the secretary providing for proof of financial responsibility in additional cases providing penalties for furnishing false information and changing effective date of said act

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### SENATE BILL No. 170.

An Act to amend section ninety-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by placing a limit on the amount which may be spent for hotel and traveling expenses and cost of annual meetings

#### SENATE BILL No. 193.

An Act concerning Notaries Public and amending revising consolidating and changing the law relating thereto

#### SENATE BILL No. 243.

An Act to consolidate amend and revise the penal laws of the Commonwealth

#### SENATE BILL No. 248.

An Act providing for the payment into the court of certain moneys involved in disputes between the Commonwealth of Pennsylvania and any county officer acting as agent of the Commonwealth

#### SENATE BILL No. 266.

An Act to further amend section two of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by further regulating the returns of taxable property and the payment of taxes by certain taxpayers under the provisions of said act

#### SENATE BILL No. 294.

An Act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean, Potter, and Tioga counties, made necessary by floods of July, one thousand nine hundred forty-two, and May, one thousand nine hundred forty-six, and April one thousand nine hundred forty-eight and of carrying out the provisions of existing laws relating thereto.

#### SENATE BILL No. 296.

An Act to amend section four hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institu-

tion district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by clarifying the powers and duties of the institution districts and other public agencies furnishing assistance.

#### SENATE BILL No. 352.

An Act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions.

#### SENATE BILL No. 358.

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr. Republic School in Mercer County Pennsylvania

#### SENATE BILL No. 376.

An Act to amend sections one thousand one hundred sixty-one and one thousand one hundred sixty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the employment of a supervising principal granting certain powers and defining his duties.

#### SENATE BILL No. 410.

An Act requiring the county commissioners to provide at the expense of the county telephone service typewriters stenographers office space materials and other equipment for the use of the county superintendent of schools

#### SENATE BILL No. 442.

An Act to amend section eighty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further providing for the payment of expenses of sheriffs at meetings of their State association increasing the allowable expenses for holding the same

#### SENATE BILL No. 647.

An Act relating to insurers not authorized to transact business in this State; providing for actions in this State against and for the service of process upon such insurers; prescribing how a defense may be made by such insurers; and providing for the allowance of attorneys fees in actions against such insurers.

#### SENATE BILL No. 797.

An Act to further amend section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates pri-

mary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compensation of judges inspectors clerks and machine inspectors and for mileage to persons furnishing transportation for transmitting returns and ballot boxes at primaries and elections in all counties except in counties of the first and second class

#### SENATE BILL No. 834.

An Act to reenact and amend the title and the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by including in the plan certain dental services defining "dental services" and further defining "medical services"

#### SENATE BILL No. 835.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by making further provisions relating to nonprofit medical service corporations by extending the provisions of said act relating to the furnishing of medical services by nonprofit medical service corporations so as to include the furnishing of certain dental services to subscribers and their dependents and by providing that the articles of incorporation of existing nonprofit medical service corporations are amended by the provisions of this act so as to authorize the furnishing of such dental services by doctors of dental surgery

## SENATE BILL No. 853.

An Act to amend section seven hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the leasing of school property for any educational purpose and validating prior leases

## SENATE BILL No. 928.

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further defining "Judgment" requiring additional information in accident reports providing for the determination of security by the secretary providing for proof of financial responsibility in additional cases providing penalties for furnishing false information and changing effective date of said act

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGES

## AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 460.

An Act to reenact amend and revise the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto"

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the Table of Contents, page 9, at the end of line 6, by inserting the following, "assessment of property outside limits of township for sewers"; page 9, line 12, by inserting after the word "cost" the word "costs";

Amend Section 1, page 16, line 14, by striking out after the word "printed" the word "or" and inserting in lieu thereof the following: "In the township if there is such a newspaper and if not then in a newspaper"; page 17, line 1, by inserting after the word "printed" the following, "if there be such a newspaper";

Amend Section 2, page 18, line 1, by inserting after the letter "a" the word "classification"; page 18, line 12, by inserting after line 11, the following "creation of townships of the first class from townships of the second class"; page 19, line 3, by inserting after the word "hereafter" the word "prescribed"; page 19, line 4, by striking out the word "described"; page 19, line 5, by striking out after the word "said" the word "commissioners"; page 22, line 5, by inserting after the word "provided"

the following "reestablishment of townships of the second class"; page 25, line 17, by inserting after line 16, the following, "creation of townships of the first class by consolidation."

Amend section 4, page 30, line 8, by inserting after line 7, the following "officers of newly created townships";

Amend Section 8, page 32, by inserting after line 6 the following, "Certificate of creation of townships to be furnished state departments."

Section 9, page 32, line 17, by inserting after line 16, the following; "article II and township lines and boundaries";

Amend Section 10, page 36, by inserting after line 12, the following; "article IV and Wards"; page 40, line 11, by striking out the bracket after the word "by"; and inserting in lieu thereof "wards shall be elected for terms of four years each at"; page 41, line 9, by inserting after the word "for" the words "terms of";

Amend Section 12, page 43, by inserting after line 15, the following "article V"; page 43, by inserting after line 17 the following, "general provisions"; page 44, by inserting after line 16, the following, "commissioners";

Amend Section 14, page 46, by inserting after line 7, the following, "treasurer"; page 47, by inserting after line 9, the following, "assessors";

Amend Section 16, page 48, by inserting after line 6, the following "auditors"; page 50, by inserting in line 1, the following: "controller"; page 51, by inserting after line 4, the following "vacancies in office";

Amend Section 17, page 53, by inserting after line 6, the following "general provisions";

Amend Section 19, page 55, by inserting after line 12, the following, "county associations of township officers"; page 57, by inserting after line 10, the following "state association of township officers";

Amend Section 20, page 58, by inserting after line 16, the following "civil service for police and firemen"; page 58, line 20, by inserting after the word "volunteer" the word "fire"; page 73, by inserting after line 19, and the word "be" the following "reinstated with full pay for the period during which he was suspended";

Amend Section 21, page 76, by striking out the words after "January" the following, "in the year 1950 and on the first Monday of July 1950 and thereafter on the first Monday of July";

Amend Section 22, page 80, line 4 by striking out the words "a and separate" and striking out after the word "not" the following "a, surety, bond, bonds," and inserting in lieu thereof the following "a surety bond"; line 5, by striking out the brackets after the word "Commonwealth" and after the word "to"; by striking out after the word "to" the following "for the benefit of the township the county and institution district and the school district such bonds shall be in such sums as may"; line 7, by striking out after the word "prescribed" the following, "by the respective taxing authority by its," and inserting in lieu thereof the word "by"; line 8, by striking out after the word "resolution" the words "and but" and inserting in lieu thereof the word "and"; line 9, by striking out after the word "annual" the following, "township tax to be collected for such taxing district such bond bonds," and inserting in lieu thereof the following "township tax such bonds"; line 12, by striking out the brackets before and after the words "township commissioners," and striking out after the words "township commissioners" the words "respective taxing authorities"; line 14, by striking out after the word "treasurer" the words "for the benefit of the township"; line 17, by striking out after the word "treasurer" the words "and as tax collector";

Amend Section 22, page 81, line 6, by striking out after the word "interest" in line five, the following, "The bonds given by the treasurer as tax collector for the county and institution district and for the school district shall be conditioned on a just accounting for and paying over to the respective taxing authorities of all taxes penalties and interest which he may collect or which come into his hands as collector of taxes for said taxing dis-

tract"; page 82, line 13, by inserting after the word "tax" the word "taxes"; line 15, by inserting after the word "county" the word "the"; by inserting after the word "district" the word "and"; line 17, by striking out after the word "commissioners" the bracket and the following, "The bond given by the township treasurer and as tax collector for the township shall cover the full term of his office The bonds given by the township treasurer as tax collector for the county and institution district and for the school district may cover the full term of his office or may be for one or more years as may be agreed upon by the tax collector and the taxing authorities The township bond shall be filed with the township commissioners the county and institution bond shall be filed with the county commissioners and the school district bond shall be filed with the board of school directors

"The various bonds furnished by the township treasurer shall be approved by the respective taxing authorities";

Amend Section 25, page 101, line 2, by inserting after the word "four" in line 1, the word "five"; line 4, by inserting after the word "six" the word "forty-five"; line 7, by inserting after the word "hundred" the words "three thousand"; line 10, by inserting after the word "hundred" the words "eight hundred seventy-five"; line 13, by inserting after the word "twelve" the words "fifteen"; line 16, by inserting after line 15, the words "eleven hundred twenty-five"; line 18, by inserting after the word "hundred" the words "one thousand"; page 102, line 1, by inserting after the word "hundred" the words "six hundred twenty-five"; line 4, by inserting after the word "hundred" the words "seventy-five";

Amend Section 29, page 111, by inserting after line 5, the following, "article XIII"; by inserting after line 7, the following, "general provisions"; page 114, by inserting after line 3, the words "(b) real estate registry";

Amend Section 30, page 117, by inserting after line 12, the words "article XIV";

Amend Section 31, page 123, by inserting after line 3, the words "article XV";

Amend Section 33, page 155, by inserting after line 15, the words "article XVI"; by inserting after line 17, the words "(a) boards of health";

Amend Section 33, page 166, by inserting after line 6, the words "(b) vacation of (lanes and alleys) streets declared nuisances by board of health"; by inserting after line 12, the words "article XVII";

Amend Section 36, page 181, by inserting in line 1, the following "article XVII";

Amend Section 40, page 195, by inserting in line one the following, "article XIX";

Amend Section 43, page 219, by inserting after line 14, the following, "article XX"; page 228, line 10, by inserting after the word "immediately" the word "immediate";

Amend Section 45, page 259, line 16, by striking out after the word and figure "section 2090" the word "taxpayers" and inserting in lieu thereof the following, "Taxpayers' rights any (one or more taxpayers) taxpayers"; page 260, line 3, by striking out after the word "right" the words "such taxpayers" and inserting in lieu thereof the following "such taxpayers any such taxpayer";

Amend Section 46, page 264, by inserting after line 3, the word and figure "article XXI"; page 271, by striking out the bracket after the word "alley" in line 17, line 20, by striking out the bracket after the word "alley"; page 272, line 2, by striking out the word after the word "such" "street (Or alleys)" and inserting in lieu thereof "(streets or alleys) street"; line 15, by striking out after the word "such" the words "street or alleys"; and inserting in lieu thereof the following, "(streets or alleys) street";

Amend Section 47, page 273, by inserting after line 10, the following, "article XXII";

Amend Section 49, page 280, by inserting after line 7, the following, "article XXIV"; page 289, by inserting after line 6, the following, "Section 2411 Assessment of property outside limits of townships for sewers whenever any sewer is located in any street dividing such township from any other municipality or township lo-

cated in the same county the property on the side of the street outside the line of such township for a depth of one hundred fifty feet shall be assessed for sewers on such street on which property shall abut such assessment shall be made in the same manner and in the same proceeding as is used for the assessment of property within the township for such sewers";

Amend Section 50, page 302, by inserting after line 1 the word and figure, "article XXV";

Amend Section 51, page 305, by inserting after the word "article" the figure "XXVI"; and inserting after line 18, the word and figure "article XXVI";

Amend Section 52, page 307, by inserting after line 6, the word and figure "article XXVII";

Amend Section 53, page 312, by inserting after line 2, the following, "article XXVII";

Amend Section 54, page 315, by inserting after line 2, the following "article XXIX";

Amend Section 55, page 317, by inserting after line 12, the following "article XXX";

Amend Section 58, page 334, by inserting after the word "article" in line 1, the figure "XXX-A"; and inserting after line 2, the word and figure "article XXX-A"; page 335, line 9, by inserting after the word "effected" the word "affected"; line 16, by inserting after the word "land" the words "or a part thereof";

Amend Section 59, page 342, line 5, by inserting after the word "article" the figure "XXXI"; by inserting after line 7, the word and figure "article XXXI";

Amend Section 61, page 354, line 7, by inserting after the word "article" the figures "XXXII"; and inserting after line 8, the word and figure "article XXXII";

Amend Section 61, page 354, line 7, by inserting after the word "article" the figures "XXXII"; and inserting after line 8, the word and figure "article XXXII";

Amend Section 62, page 357, line 5, by inserting after the word "article" the figures "XXXIII"; and inserting after line 7, the word and figure "article XXXIII";

Amend Section 63, page 360, by inserting after line 8, the word and figure "article XXXIV";

Amend Section 64, page 363, by inserting after line 9, the word and figure "article XXXV."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BANE. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovanssek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. M.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,

Cooper,	Hunter,	O'Donnell,	Varner,
Conway,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Ziegler,
Floyd,	Lelsey,	Riley, R. L.,	Young,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1102.

An Act defining cold storage requiring licenses to operate cold storage warehouses and locker plants requiring records reports marking wrapping protecting limiting time of storage disposition sale return or transfer of foods in cold storage conferring powers on the Department of Agriculture including adoption of rules and regulations special permits for storage feeding stuffs for animal use and providing penalties for violation of this act

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 10, by striking out after the word "except" the words "an establishment" and inserting in lieu thereof, "a restaurant store home or eating club using its cold storage space exclusively or a place"; page 2, line 13, by striking out after the word "thereof" the words "and not for sale" and inserting in lieu thereof, "which storage place or space is not used for renting sale or profit";

Amend Section 14, page 12, line 3, by striking out after the word "act" the words "or any rule regulation or order made pursuant to this act"; page 12, line 5, by striking out after the word "exceeding" the words "one hundred dollars"; line 6, by inserting out before the "and" the figure "\$100" and inserting in lieu of the words "fifty dollars"; line 8, by striking out after the word "than" the word and figure "sixty 60" and inserting in lieu thereof the word "thirty."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BANE. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Althuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraff,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsach,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL NO. 367

Mr. HELM. Mr. Speaker, I present the report of the Committee of Conference on Senate Bill No. 367.

The report was read by the Clerk.

The SPEAKER. This being a Senate bill, the report will be noted in the Journal and printed by the Senate.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 898.

An Act to further amend subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorney authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by exempting television exhibitions from provisions of the act requiring special permits

With the information that the Senate has passed the same without amendment.

## REPORT OF JOINT STATE GOVERNMENT COMMISSION

Mr. LEE. Mr. Speaker, on behalf of the Joint State Government Commission I desire to present the study of the Joint State Government Commission on "Decedents' Estate Laws," Proposed Fiduciaries Investment Act of 1949.

(For report, see Appendix.)

The SPEAKER (Herbert P. Sorg) in the Chair.

The SPEAKER. The Chair thanks the gentleman from Schuylkill Mr. Watkins, for presiding.

## BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of Senate Bill No. 909, as follows:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any sum or sums of money representing surplus funds in the general fund during the 1949-1951 biennium arising from revenues above the estimate curtailment of other appropriations increases of lapses or arising in any other manner not exceeding twenty-five million dollars (\$25,000,000) are hereby appropriated to the Department of Public Assistance

Provided however That this act shall not become effective until the Department of Public Assistance has exhausted the appropriation made to it by the General Assembly.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,  
Amarando,  
Andrews,

Frost,  
Gaffney,  
Gallagher,

Loftus,  
Lovett,  
Madigan,

Rose,  
Rosen,  
Rovanssek,

Bane,  
Barkdoll,  
Baumunk,  
Beaver,  
Bednarek,  
Blair,  
Bloom,  
Boies,  
Bomberger,  
Boorse,  
Bower,  
Brandon,  
Brelsck,  
Breth,  
Brice,  
Brown, H. S.,  
Brown, W. E.,  
Brunner,  
Bucchin,  
Cadwalader,  
Clapper,  
Clendenning,  
Cochran,  
Cole,  
Coleman,  
Conway,  
Cooper,  
Costa,  
Dalrymple,  
DeLong,  
Dennison,  
Depuy,  
Dougherty,  
Driscoll,  
Duffy,  
Dye,  
Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Fenster,  
Flo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank,

George,  
Gibson,  
Glembocki,  
Good,  
Goodling,  
Graybill,  
Green,  
Greenwood,  
Greer,  
Guarnieri,  
Guthrie,  
Hagerty,  
Hall,  
Hamilton,  
Harney,  
Harris,  
Haudenshield,  
Heatherington,  
Helm,  
Herman,  
Hersch,  
Hewitt,  
Hocker,  
Hoffman,  
Hoggard,  
Hunter,  
Jenkins,  
Jennings,  
Jim,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jump,  
Kamyk,  
Keller,  
Kemp,  
Kent,  
Kirley,  
Kline,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Leisay,  
Leonard,  
Limper,

McCormack,  
McCullough,  
McGee,  
McKinney,  
McMillen,  
McNally,  
Mihm,  
Mikula,  
Miller,  
Milliken,  
Mills,  
Mintess,  
Monroe,  
Moore, C. E.,  
Moore, H. A.,  
Moran,  
Munley,  
Murray,  
Musto,  
Nagel,  
Najaka,  
Needham,  
Neff,  
Nixon,  
O'Dare,  
O'Donnell,  
Olsen,  
Orban,  
Penglass,  
Pentrack,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Polen,  
Posta,  
Powers,  
Price, H. W., Jr.,  
Price, R. A.,  
Propert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Royer,  
Sarraf,  
Sax,  
Scanlon,  
Schmidt,  
Schuster,  
Scott,  
Seyler,  
Shoemaker,  
Smith, C. O.,  
Smith, W. B.,  
Snider,  
Sollenberger,  
Spencer,  
Stank,  
Sternberg,  
Stimmel,  
Stuart,  
Swope,  
Tahl,  
Taylor,  
Thompson,  
Tompkins,  
Toomey,  
Varallo,  
Varner,  
Verona,  
Wachhaus,  
Wagner,  
Wargo,  
Waterhouse,  
Watkins,  
Weldner,  
Weiss,  
Welsh,  
Wescott,  
Westrick,  
Wheeler,  
Williams,  
Wood,  
Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,

Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## DISCHARGE OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 839

Mr. MILLIKEN. Mr. Speaker, I am directed to report that the Committee on Conference on the part of the House cannot agree on the differences existing between the House and Senate on House Bill No. 839, Printer's No. 805, and move that the Committee be discharged.

The motion was agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. MILLIKEN. Mr. Speaker, I move that the House insist upon its nonconcurrence in the amendments made and insisted upon by the Senate to House Bill No. 839.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

DISCHARGE OF COMMITTEE OF CONFERENCE  
ON HOUSE BILL NO. 1016

Mr. DENNISON. Mr. Speaker, I am directed to report that the Committee of Conference on the part of the House cannot agree on the differences existing between the House and the Senate on House Bill No. 1016, Printer's No. 810, and move that the Committee be discharged.

The motion was agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. DENNISON. Mr. Speaker, I move that the House recede from its nonconcurrence and concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kiline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

DISCHARGE OF COMMITTEE OF CONFERENCE  
ON HOUSE BILL NO. 28

Mr. MILLER. Mr. Speaker, I am directed to report that the Committee of Conference on the part of the House cannot agree on the differences between the House and the Senate on House Bill No. 28, Printer's No. 748, and move that the Committee be discharged.

The motion was agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. MILLER. Mr. Speaker, I move that the House recede from its nonconcurrence and concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, O. C.,
Bower,	Guarnieri,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Brice,	Hamilton,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harney,	Moore, H. A.,	Stank,
Brown, W. E.,	Harris,	Moran,	Sternberg,
Brunner,	Haudenschild,	Munley,	Stimmel,
Bucchin,	Heatherington,	Murray,	Stuart,
Cadwalader,	Helm,	Musto,	Swope,
Clapper,	Herman,	Nagel,	Tahl,
Clendenning,	Hersch,	Najaka,	Taylor,
Cochran,	Hewitt,	Needham,	Thompson,
Cole,	Hocker,	Neff,	Tompkins,
Coleman,	Hoffman,	Nixon,	Toomey,
Conway,	Hoggard,	O'Dare,	Varallo,
Cooper,	Hunter,	O'Donnell,	Varnier,
Costa,	Jenkins,	Olsen,	Verona,
Dalrymple,	Jennings,	Orban,	Wachhaus,
DeLong,	Jim,	Penglase,	Wagner,
Dennison,	Johnson,	Pentrack,	Wargo,
Depuy,	Jones, G. E.,	Peta,	Waterhouse,
Dougherty,	Jones, J. M.,	Petrosky,	Watkins,
Driscoll,	Jump,	Pettigrew,	Weidner,
Duffy,	Kamyk,	Pfaff,	Weiss,
Dye,	Keller,	Polen,	Welsh,
Elder,	Kemp,	Posta,	Wescott,
Erb,	Kent,	Powers,	Westrick,
Evans,	Kirley,	Price, H. W., Jr.,	Wheeler,
Ewing,	Kiline,	Price, R. A.,	Williams,
Felton,	Kohl,	Probert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Lelsey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1317.

A supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission and making an appropriation" authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners extending the jurisdiction powers and duties of The Delaware River Port Authority and defining such additional jurisdiction powers and duties conferring power of veto upon the Governor to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 10, by striking out after the word "of" the word "vote" and inserting in lieu thereof the word "approval" and line 11, by striking out after the word "the" the word "Governor" and inserting in lieu thereof the word "Legislature."

Amend Article XII, page 17, line 3, by striking out the brackets before and after the word "Legislatures" and by striking out the word "Governor"; line 5, by striking out the brackets before and after the word "Legislatures" and by striking out the word "Governors"; line 9 by striking out the brackets before and after the word "Legislatures" and by striking out the word "Governors"; line 11 by striking out after the word "thereon" the following "The Governor of each State shall within sixty (60) days after the report shall have been so delivered to him cause the same to be returned to the authority either with or without his approval If either Governor shall not return the said report within the said sixty (60) day period he shall be deemed to have approved the said project."

Amend Article XIII page 18, lines 11, 12 and 13 by striking out after the word "include" the words "marine motor truck railroad air and bus terminals also coal grain and lumber terminals and union freight and"; line 14 by inserting after the word "freight" the words "by water or air"; line 15 by striking out after the word "include" the words "railroads operated by steam electricity or other power rapid transit lines motor trucks buses or other street or highway vehicles"; line 17 by striking out after the word "boats" the word "ferries"; line 19 by striking out after the word "kind" the words "aircraft and every kind of transportation facility now in use or hereafter designed for use for the transportation of passenger and freight."

Amend Article XIII, page 19, line 5 by striking out after the word "stations" the words "grain or other storage elevators warehouses cold storage"; line 7 by striking out after the word "coal" the word "oil" and after the word "stations" the words "markets and every kind of terminal storage or supply facility now in use or hereafter designed for use"; line 9 by striking out after the word "handling" the word "storage";

Amend Article XIII, page 19 by striking out all of lines 11, 12, 13, 14, and 15 as follows "Railroads" shall include railways extensions thereof tunnels subways bridges elevated structures tracks poles wires conduits powerhouses substations lines for the transmission of power carbarns shops yards sidings turnouts switches stations and approaches thereto cars and motive equipment."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Vallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Ffio,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 926, as follows:

An Act authorizing the Secretary of Property and Supplies to sell and convey or to lease subject to certain terms and conditions a certain tract of land and a certain right of way in the Township of Upper Saint Clair County of Allegheny Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey in fee simple or lesser estate or to lease for a term not exceeding ninety-nine (99) years for such consideration and upon such terms and conditions as may be agreed upon and to make and execute instruments so conveying or leasing the following described tract of land and the following described right of way situate in Upper Saint Clair Township Allegheny County Pennsylvania

All that certain tract or piece of land situate in Upper Saint Clair Township Allegheny County Pennsylvania being part of the William Walker tract of 43.93 acres and part of the A Gilfillan tract of 2 acres said parts of said tracts being together bounded and described as follows viz

Beginning at an iron pin on line dividing the original William Walker tract and the original A Gilfillan tract said iron pin being distant North eighty-one degrees thirty-six minutes West (N 81° 36' W) one thousand one hundred twenty-five (1125) feet more or less from a point in a public road on line of the original A Gilfillan tract at corner of the original William Walker tract thence from said beginning point by a line through the original A Gilfillan tract the following five courses and distances viz South twelve degrees no minutes West (S 12° 00' W) two hundred and no hundredths (200.0) feet to an iron pin thence South forty-four degrees no minutes West (S 44° 00' W) one hundred eighty and no hundredths (180.0) feet to a point thence North eighty-seven degrees twenty-six minutes West (N 87° 26' W) twelve and five tenths (12.5) feet to a point marking the terminus of the center line of the private right of way hereinafter described thence continuing North eighty-seven degrees twenty-six minutes West (N 87° 26' W) twelve and five tenths (12.5) feet to a point and thence North twenty-seven degrees fifty-six minutes West (N 27° 56' W) thirty-three and five tenths (33.5) feet to a point thence by a line through both of the original tracts aforesaid North two degrees thirty-four minutes East (N 2° 34' E) eight hundred thirteen and no hundredths (813.0) feet to a point thence by a line through the William Walker original tract South eighty-seven degrees twenty-six minutes East (S 87° 26' E) one hundred and no hundredths (100.0) feet to a point and thence by a line through the same tract South seven degrees fifty-three minutes East (S 7° 53' E) five hundred eighteen and two tenths (518.2) feet to the iron pin at the place of beginning

Containing 2.834 acres more or less

Excepting and reserving however thereout and therefrom the coal and mining rights as shown by prior deeds of record

Together also with the right of way twenty-five (25) feet wide to be used in common with the grantor extending from the aforementioned public road to said described tract of land the center line of which said right of way is described as follows

Beginning at a point in the public road mentioned in the foregoing description said point being located South

seven degrees seven minutes West (7° 07' W) three hundred twenty-nine and eight tenths (329.8) feet in said public road from a point on line of the original A Gilfillan tract at a corner of the original William Walker tract thence from said beginning point by a line through the original A Gilfillan tract the following four courses and distances viz South eighty-three degrees nineteen minutes West (S 83° 19' W) seven hundred fifty-four and three tenths (754.3) feet to a point thence North seventy degrees forty-one minutes West (N 70° 41' W) four hundred seventy-nine and seven tenths (479.7) feet to a point of curve thence by a curve to the right having a radius of seventy-five (75) feet a distance of ninety-five and eighty-eight hundredths (95.88) feet the long chord being North thirty-four degrees three minutes thirty seconds West (N 34° 03' 30" W) eighty-nine and forty-nine hundredths (89.49) feet to a point and thence North two degrees thirty-four minutes East (N 2° 34' E) twenty-one and no hundredths (21.0) feet to a point said point being the terminus of the center line of the right of way mentioned in the above description

Section 2 The deed of conveyance shall be approved by the Departments of Justice and Welfare and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraff,
Baumunk,	Clembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsich,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudensfield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewics,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,

Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 933, as follows:

An Act to amend section five hundred one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by making more inclusive the territory which may be annexed to any city of the third class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 501 Petition for Annexation of Boroughs or Townships and Parts of Townships Any borough having a population of less than ten thousand inhabitants or any township or part of a township [contiguous] adjacent to any city whether wholly or partially within the same or different counties may become annexed to any such city in the following manner

(a) In the case of a borough the borough council may pass an ordinance for such annexation whenever three-fifths of the taxable inhabitants of such borough shall present a petition accompanied with the written consent of a majority in number and interest of property owners of the borough asking for such annexation

(b) In the case of a township or part of a township whenever three-fifths of the taxable inhabitants of such township or part of a township shall present a petition to the council of said city accompanied with the written consent of a majority in number and interest of property owners of such township or part of a township asking for such annexation

(c) In case of part of a township when there are no taxable inhabitants residing therein then whenever three-fifths of the property owners in number and interest of property situated therein shall present a petition to the council of said city asking for such annexation

In construing this section a majority in interest of owners of undivided interests in any piece of property shall be deemed and treated as one person for the purpose of ascertaining the number of petitioners

I hereby certify that this bill has passed the Senate and the House of Representatives

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Ziegler.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. ZIEGLER. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, I would like to have the gentleman explain the change and why we are changing these two words, on Page 2, line 9.

Mr. ZIEGLER. Mr. Speaker, the only change in this bill is from the word "contiguous" to the word "adjacent." As I understand it, the Legislative Reference Bureau and the Department of Justice were consulted before this bill was drafted, and it was recommended that the word "adjacent" be used rather than the word "contiguous," due to the fact that the word "adjacent" was used in an old Act, the Act of 1879, which was also a law of annexation. Subsequent to the passage of that bill the Supreme Court of Pennsylvania in 122 Pa. rendered an opinion wherein the word "adjacent" was defined, and it was felt that the word adjacent should be substituted for the word "contiguous."

Mr. HEATHERINGTON. "Contiguous" means touching, as I understand it, is that right?

Mr. ZIEGLER. As I understand it, Mr. Speaker, it does.

Mr. HEATHERINGTON. Mr. Speaker, what does the word "adjacent" mean?

Mr. ZIEGLER. Mr. Speaker, it is rather hard to define. I was just checking it in the dictionary. It is a matter of degree. The word "contiguous" in a case of this kind would be a greater touching of part of the township or borough to be annexed to the city, so that if the word "contiguous" were used, it would cover a greater degree of touching. Therefore, by substituting the word "adjacent" it would give an opportunity for part of the township or borough desiring to be annexed to come in if it so desired, and be annexed to the city.

Mr. HEATHERINGTON. Mr. Speaker, in other words, the city of Harrisburg could annex Camp Hill?

Mr. ZIEGLER. Mr. Speaker, the city of Harrisburg could, if the residents over there, if a sufficient number of residents, petitioned the court to be annexed,—petitioned for the annexation of Camp Hill.

Mr. HEATHERINGTON. Mr. Speaker, I don't know how the gentleman figures that the Department of Justice would be for a bill of this nature. The word "adjacent" in the dictionary means nearby. I am wondering what they mean by the word "nearby."

For instance, the city of McKeesport in Allegheny County, in my opinion, could go ten or fifteen miles away, but still would be nearby, and annex another borough into the city of McKeesport.

I do know that the Borough Association is against this bill, I am almost positive that the third class cities are against the bill, and I think I would be safe in saying that the townships would be against the bill. For that reason, the way the law is now, in order to annex any part of a borough or township, the section must be touching the third class city. If this passes, the section annexed would be nearby. The real question is whether the word "nearby" means within five hundred feet or one mile or ten miles, and with all the municipal organizations against it, I think we should vote it down.

Mr. ZIEGLER. Mr. Speaker, I would say that there are many occasions when we find there is a vast difference in the definition of words to be found in a little dictionary

than is found in a standard dictionary. This happens to be one of those occasions.

The courts have held that the word "adjacent", as used in its primary form, means adjoining or contiguous and they went further in their opinion, and they said that it gives more of an opportunity to a borough or township or part of a township which desires to be annexed to the city to come in, if just a small section of the borough or township or part of the township to be annexed touches the city. It gives more of an opportunity to the boroughs, townships or parts of the townships, and I cannot see how any city or borough, township or part of a township could come in if they understood the bill and object. I think it is to their advantage.

On the question recurring,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—59

Altshuler,	Felton,	Kurtz,	Sax,
Bednarek,	Fox,	Leisey,	Saylor,
Bomberger,	Frost,	Loftus,	Shoemaker,
Brandon,	Gallagher,	Madigan,	Smith, C. C.,
Brice,	Gibson,	McCormack,	Tahl,
Brunner,	Glembocki,	McCullough,	Tompkins,
Bucchin,	Goodling,	Mintess,	Toomey,
Cadwalader,	Graybill,	Murray,	Wachhaus,
Clapper,	Herman,	O'Dare,	Watkins,
Cooper,	Johnson,	O'Donnell,	Yaffe,
Costa,	Jump,	Price, H. W., Jr.,	Yeakel,
Dalrymple,	Kent,	Price, R. A.,	Yester,
Dennison,	Kline,	Readinger,	Ziegler,
Driscoll,	Kondrath,	Robbins,	Sorg,
Dye,	Kratz,	Royer,	Speaker

NAYS—114

Amarando,	Haudenshield,	Moran,	Schmidt,
Andrews,	Heatherington,	Munley,	Schuster,
Bane,	Helm,	Musto,	Smith, W. B.,
Barkdoll,	Hersch,	Nagel,	Snider,
Beaver,	Hewitt,	Najaka,	Sollenberger,
Blair,	Hocker,	Needham,	Spencer,
Bloom,	Hunter,	Neff,	Sternberg,
Clendening,	Jenkins,	Nixon,	Stimmel,
Coleman,	Jim,	Orban,	Stuart,
Conway,	Jones, G. E.,	Penglase,	Taylor,
DeLong,	Kamyk,	Peta,	Thompson,
Dougherty,	Kirley,	Petrosky,	Varallo,
Duffy,	Kohl,	Pettigrew,	Varner,
Ewing,	Kolankiewicz,	Pfaff,	Verona,
Filo,	Lederer,	Polen,	Wagner,
Firmstone,	Limper,	Posta,	Wargo,
Fleming,	Lovett,	Powers,	Waterhouse,
Floyd,	McGee,	Propert,	Weidner,
George,	McKinney,	Reagan,	Weiss,
Good,	McMillen,	Reidenbach,	Welsh,
Green,	McNaily,	Reilly, J. M.,	Wescott,
Greenwood,	Mihm,	Reynolds,	Westrick,
Greer,	Mikula,	Robertson,	Wheeler,
Guarnieri,	Miller,	Rose,	Williams,
Guthrie,	Milliken,	Rosen,	Wood,
Hagerty,	Mills,	Rovansek,	Worley,
Hall,	Monroe,	Sarraf,	Yetzer,
Hamilton,	Moore, C. E.,	Scanlon,	Young,
Harris,	Moore, H. A.,		

NOT VOTING—35

Baumunk,	Cole,	Harney,	Lee,
Boies,	Depuy,	Hoffman,	Leonard,
Boorse,	Elder,	Hoggard,	Olsen,
Bower,	Erb,	Jennings,	Pentrack,
Breisch,	Evans,	Jones, J. M.,	Reese,
Breth,	Ferster,	Keller,	Riley, R. L.,
Brown, H. S.,	Flack,	Kemp,	Scott,
Brown, W. E.,	Frank,	Krise,	Stank,
Cochran,	Gaffney,		Swope,

Less than the majority required by the Constitution

having voted in the affirmative, the question was determined in the negative and the bill falls.

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

April 27, 1949.

Honorable Herbert P. Sorg  
Speaker, House of Representatives  
Harrisburg, Pennsylvania  
Dear Mr. Speaker:

It is my wish to express my gratitude to each and every member of the House of Representatives for creating the position of Registered Nurse to serve the ills of the members of the General Assembly.

I assure you my work has been extremely pleasant and I am grateful to all of you for your many kindnesses shown me.

Respectfully

ESTHER FEISER, R. N.

DISCHARGE OF COMMITTEE OF CONFERENCE  
ON HOUSE BILL NO. 780

Mr. HERMAN. Mr. Speaker, I am directed to report that the Committee of Conference on the part of the House cannot agree on the differences existing between the House and Senate on House Bill No. 780, Printer's No. 777, and move that the Committee be discharged.

The motion was agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. HERMAN. Mr. Speaker, I move that the House recede from it's nonconcurrence and concur in the amendments made by the Senate.

Mr. MORAN. Mr. Speaker, this is the female labor law which I believe is a war time provision placing certain restrictions on the hours of employment. What are the amendments to the bill, what is the agreement, what is it that the gentleman asks us to concur in?

Mr. HERMAN. Mr. Speaker, the Senate placed an amendment in this bill which in my opinion does nothing except explain the word "we", the word "person" and the word "they". I think it makes no difference at all excepting to make it clearer.

Mr. MORAN. Mr. Speaker, I don't have the bill in front of me; I cannot put the thing together as explained. It may be good and it may be bad.

Mr. ANDREWS. Mr. Speaker, Mr. Evans, who was on the conference committee isn't around. I think that this bill is a very bad bill. I was looking for the lady from Mercer, Mrs. Dye. I think it is her bill.

The SPEAKER. Does the gentleman desire that the gentleman from Dauphin, Mr. Herman, withdraw his motion until the lady returns?

Mr. ANDREWS. I wish he would, Mr. Speaker. This is a motion to concur?

The SPEAKER. The motion is for the House to recede from its non-concurrence in the amendments of the Senate and to concur in the amendments inserted by the Senuate.

Mr. ANDREWS. Mr. Speaker, if this is Mrs. Dye's bill, and she is the one I have in mind, I wouldn't want to recede on non-concurrence.

The SPEAKER. Will the gentleman withdraw his

motion temporarily until the return of the gentleman from Cambria, Mr. Evans, and Mrs. Dye, the lady from Mercer?

#### MOTION TO CONCUR WITHDRAWN

Mr. HERMAN. Mr. Speaker, I should be glad to withdraw my motion, but I want to make this clear, that there was no objection from either one of them at the time. I had taken this matter up with Mr. Evans and Mrs. Dye before I made this motion. There was no objection made by either one of them at that time.

Mr. WAGNER. Mr. Speaker, I understand that we are talking about House Bill 780, Printers No. 777.

The SPEAKER. The gentleman is correct.

Mr. WAGNER. Mr. Speaker, if that is correct, it is not Mrs. Dye's bill. This bill was introduced by the gentleman from Northumberland, Mr. Kemp.

The SPEAKER. The Chair understands that the bill was introduced by the gentleman from Northumberland, Mr. Kemp.

Mr. WESTRICK. Mr. Speaker, I wish to inform the Members of the House that Mr. Evans has withdrawn to his room because of illness.

The SPEAKER. The Chair regrets to hear that news. The Chair understands that the gentleman has no objection to the presentation of the motion at this time, or does the gentleman from Cambria, Mr. Westrick offer a request that the motion be withdrawn temporarily?

Mr. WESTRICK. Mr. Speaker, I believe it would be advisable under the circumstances to call him and notify him.

The SPEAKER. Does the gentleman from Dauphin, Mr. Herman, wish to be recognized.

Mr. HERMAN. Mr. Speaker, merely to repeat, I am glad to withdraw my motion until the parties are agreed on it, but it was clear to all of the parties when I spoke to them.

#### POINT OF ORDER

Mr. HOMER S. BROWN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. HOMER S. BROWN. Mr. Speaker, I know that you are clearing these concurrent resolutions and other matters at the desk in a proper manner. However, you see the disadvantage we are working under because we do not have the histories on the desks. Would it be possible, I know it is an imposition on the reading clerk, when we are asked to concur or nonconcur on a bill, for someone to give the substance of the bill, I am not being presumptuous but I can understand the difficulty we are working under in as much as we do not have the history. We cannot follow the numbers of the bills.

The SPEAKER. The Chair will comply with the gentleman's request, and direct proper identification of all bills be made, and that an explanation of the substance be given. The Chair would like to inform the gentleman, however, that all bills are being cleared before taking them up.

Mr. ANDREWS. Mr. Speaker, I am perfectly willing to let this go to a vote. However, I want to go on record, Mr. Speaker, that we are not accepting these amendments because we think they are improper.

The SPEAKER. Will the gentleman from Dauphin, Mr. Herman, renew his motion that the House recede from its nonconcurrence in the amendments of the Senate and that the House concur in the amendments of the Senate?

#### MOTION TO CONCUR

Mr. HERMAN. I shall renew my motion, Mr. Speaker.  
Mr. ANDREWS. Mr. Speaker, will the Speaker please state the significance of the motion?

The SPEAKER. For the information of the gentleman, those voting "aye" vote to concur in the amendments inserted by the Senate in House Bill 780, Printer's No. 777. Those voting "no" vote to nonconcur in the amendments. The Chair understands that the Minority Leader, the gentleman from Cambria, Mr. Andrews, will vote to nonconcur.

Mr. MORAN. Mr. Speaker, I ask the Members of the House to vote to nonconcur in these amendments.

Mr. HERMAN. Mr. Speaker, I ask the Members of the House to vote "aye" on concurrence. As I stated before, the amendments in my opinion do absolutely nothing but make it clear. They don't make any change; they don't change the law in any respect in my opinion.

Mr. ANDREWS. Mr. Speaker, in our opinion it materially changes the law.

In our opinion it makes it possible to work women under certain circumstances consecutively for more than seven days, and the definition of the work week is contrary to existing statutes. We are absolutely opposed to that interpretation.

Mr. Speaker, on this roll or on similar roll calls concerning conference reports involving labor legislation, we are willing to accept a party vote on each one of them.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—107

Altshuler,	Fleming,	Kline,	Robertson.
Barkdoll,	Fox	Kratz,	Royer,
Baumunk,	Frank,	Kurtz,	Sax,
Bednarek,	Frost,	Lee,	Scott,
Blair,	Gallagher,	Lelsey,	Shoemaker,
Bomberger,	George,	Loftus,	Smith, C. C.,
Boorse,	Gibson,	Madigan,	Sollenberger,
Bower,	Goodling,	McCormack,	Spencer,
Brelsch,	Graybill,	McCullough,	Stimmel,
Brice,	Green,	McKinney,	Tahl,
Brown, W. E.,	Greenwood,	McMillen,	Thompson,
Brunner,	Greer,	Miller,	Tompkins,
Cadwalader,	Guthrie,	Milliken,	Toomey,
Clapper,	Hall,	Mintess,	Varnier,
Clendenning,	Harney,	Moore, C. E.,	Wachhaus,
Cooper,	Haudenschild,	Moore, H. A.,	Wagner,
Costa,	Helm,	Murray,	Waterhouse,
Dalrymple,	Herman,	Neff,	Watkins,
Dennison,	Hewitt,	O'Dara,	Weidner,
Depuy,	Hocker,	O'Donnell,	Wescott,
Driscoll,	Hoffman,	Orban,	Wood,
Elder,	Jennings,	Price, H. W. Jr.,	Yaffe,
Ewing,	Johnson,	Probert,	Yeakel,
Felton,	Jump,	Reagan,	Young,
Ferster,	Keller,	Reilly, J. M.,	Ziegler,
Firmstone,	Kemp,	Riley, R. L.,	Sorg,
Flack,	Kent,	Robbins,	Speaker

#### NAYS—96

Amarando,	Harris,	Moran,	Rovansek,
Andrews,	Heatherington,	Munley,	Sarra,

Bane,	Hersch,	Musto,	Scanlon,
Beaver,	Hoggard,	Nagel,	Schmidt,
Boles,	Hunter,	Najaka,	Schuster,
Brandon,	Jenkins,	Needham,	Seyler,
Brown, H. S.,	Jim,	Nixon,	Smith, W. B.,
Bucchin,	Jones, G. E.,	Olsen,	Snider,
Cole,	Jones, J. M.,	Penglase,	Stank,
Coleman,	Kamyk,	Pentrack,	Sternberg,
Conway,	Kirley,	Peta,	Stuart,
DeLong,	Kohl,	Petrosky,	Swope,
Dougherty,	Kolankiewicz,	Pettigrew,	Taylor,
Duffy,	Kondrath,	Pfaff,	Varallo,
Dye,	Lederer,	Polen,	Verona,
Erb,	Leonard,	Posta,	Wargo,
Evans,	Limper,	Powers,	Weiss,
Filo,	Lovett,	Price, R. A.,	Welsh,
Floyd,	McGee,	Readinger,	Westrick,
Gaffney,	McNally,	Reese,	Wheeler,
Glembocki,	Mihm,	Reidenbach,	Williams,
Good,	Mikula,	Reynolds,	Worley,
Guarnieri,	Mills,	Rose,	Yester,
Hagerty,	Monroe,	Rosen,	Yetzer,
Hamilton,			

NOT VOTING—5

Bloom, Breth, Cochran, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. BRUNNER asked and obtained permission for the Committee on Rules to meet during the session of the House.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 917, as follows:

An Act to amend the title and section one of the act approved the twenty-third day of May one thousand nine hundred forty-seven (P. L. 293) entitled "An act permitting certain personnel of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases" by including managers of veterans administration hospitals within the provisions of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the twenty-third day of May one thousand nine hundred forty-seven (P. L. 293) entitled "An act permitting certain personnel of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases" are hereby amended to read as follows

An Act permitting certain personnel of State-owned mental hospitals and veterans administration hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases

Section 1 Whenever the Superintendent or any physician or psychiatrist of any State-owned mental hospital or manager of a veterans administration hospital is required to appear and testify before any court or commission issued out of such court in a civil proceeding relating to the mental condition of any patient in his charge in such hospital the deposition of or sworn statement by such superintendent manager physician or psychiatrist of either a State-owned mental hospital or a veterans administration hospital may be admissible in evidence as to the condition of such patient in lieu of the appearance and testimony of such superintendent manager physician or psychiatrist in court or before a commission unless by special order the court directs and

requires the appearance and testimony in person of such superintendent manager physician or psychiatrist

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafa,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Deputy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yetzer,
Flack,	Lederer,	Reilly, J. M.,	Young,
Fleming,	Lee,	Reynolds,	Ziegler,
Floyd,	Leisey,	Riley, R. L.,	Sorg,
Fox,	Leonard,	Robbins,	
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BANGOR HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House students of the eighth grade of the Bangor High School. They are the guests of the gentlemen from Northampton, Messrs. John M. Jones and Good.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 970, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and of the United States of America to sell at public sale to the highest bidder a part of certain real estate located in Dauphin County recently acquired by the Commonwealth from the Reconstruction Finance Corporation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies subject to the approval of the United States of America and of the Governor of the Commonwealth of Pennsylvania is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder and to make and execute a deed conveying all that certain lot pieces or parcel of land situate lying and being in the City of Harrisburg County of Dauphin and State of Pennsylvania more fully bounded and described as follows

Beginning at a point situate south 66 degrees West 5 minutes 155.26 feet from the corner monument at the intersection of the west side of Cameron Street (having a width of 80 feet) and the north side of Calder Street to the point of beginning thence across Calder Street and along property now or formerly of J. F. Sweeney Receiver south one degree thirty minutes (1° 30') east one hundred seventy and ninety-four hundredths (170.94) feet to a point thence along line of the same north seventy-nine degrees twenty-six minutes (79° 26') east one hundred seventy-seven and thirty-six hundredths (177.36) feet to a point in the westerly side of Cameron Street which said point is one hundred forty-three (143) feet distant from the south side of Calder Street (said Street having a width of 60') measured along the westerly side of Cameron Street in a southerly direction thence along the westerly side of Cameron Street south ten degrees thirty-four minutes (10° 34') east one hundred thirty-five (135) feet to a point thence along the land now or formerly of Capital Bank and Trust Company Trustee south seventy-nine degrees twenty-six minutes (79° 26') west one hundred eighty-eight and thirty-seven hundredths (188.37) feet to a point thence along the same south thirty-three degrees one minute (33° 1') east one hundred five and twenty-two hundredths (105.22) feet to an iron pipe thence along the same south eleven degrees fifty-one (11° 51') east eighty-two and eight tenths (82.8) feet to an iron pipe thence south eight degrees fifty-five minutes (8° 55') west one hundred seventeen and five tenths (117.5) feet to an iron pipe thence south forty-three degrees thirty-nine minutes (43° 39') west three hundred twelve and forty-two hundredths (312.42) feet to a point in the center lane of the paved channel of Paxton Creek thence along the said center line and along land of Harrisburg Steel Corporation formerly land of The W O Hickok Manufacturing Company north ten degrees fifty-six minutes (10° 56') west two hundred eighteen (218) feet to a point thence along the land of Harrisburg Steel Corporation formerly The W O Hickok Manufacturing Company and other lands of The W O Hickok Manufacturing Company south sixty-five degrees four minutes (65° 4') west four hundred forty and one hundredths (440.01) feet to a point said point being twenty (20) feet distant in an easterly direction from the center line of an existing railroad siding track thence north twenty-four degrees thirty minutes (24° 30') west three hundred fifty-eight and twenty-five hundredths (358.25) feet to a point in the line of land of the Pennsylvania Railroad thence along said land north seventeen degrees thirty-nine minutes (17° 39') west two hundred fifty and seventy-seven hundredths (250.77) feet to a corner marked with a concrete filled

iron pipe thence continuing along the land of the Pennsylvania Railroad Company the four following courses and distances north sixty-five degrees forty minutes (65° 40') east forty and one tenth (40.1) feet to a point thence north twenty degrees twenty-five minutes thirty seconds (20° 25' 30") west one hundred thirty-nine and forty-six hundredths (139.46) feet to a corner monument thence north sixty-two degrees forty-four minutes (62° 44') east ten and sixty hundredths (10.60) feet to a corner monument thence north seven degrees fifty-one minutes (7° 51') west six hundred thirty-three and five hundredths (633.05) feet to a point thence by other lands of Harrisburg Steel Corporation the two following courses and distances north no degrees fifty-nine minutes (0° 59') east two hundred eight and forty-seven hundredths (208.47) feet to a point thence north seventy degrees forty-five minutes (70° 45') east three hundred one and nineteen hundredths (301.19) feet to a point in the center line of the paved channel in Paxton Creek thence along said center line of Paxton Creek and along land now of Harrisburg Steel Corporation formerly Steelton and Harrisburg Brick Company south nineteen degrees fifteen minutes (19° 15') east four hundred sixty and forty-nine hundredths (460.49) feet to a point thence by land of Harrisburg Steel Corporation formerly Pennsylvania Railroad south nineteen degrees fifteen minutes (19° 15') east forty-five and twenty-three hundredths (42.23) feet to a point thence by land now of Harrisburg Steel Corporation formerly of Steelton and Harrisburg Brick Company south nineteen degrees fifteen minutes (19° 15') east two hundred forty-five and seventy-five hundredths (245.75) feet to a point on the south side of Reily Street thence south 19 degrees 15 minutes east one hundred sixty-two (162) feet more or less along the center of Paxton Creek to a point thence south fifteen degrees five minutes (15° 5') east one hundred sixteen and eleven hundredths (116.11) feet more or less to a point in the center of Paxton Creek thence north sixty-six degrees five minutes (66° 5') east three hundred ten (310) feet more or less to the point or place of beginning

Containing 23 acres be the same more or less

Being part of the same tract of land which was recently purchased by the Commonwealth at public auction held by the War Assets Administration pursuant to the authority conferred by the act approved the ninth day of February one thousand nine hundred forty-nine Act No. 1

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania and shall contain all the reservations conditions covenants and exceptions contained in the deed from the Reconstruction Finance Corporation acting through War Assets Administration

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, Senate Bill 970, Printer's No. 621, is a bill authorizing the Department of Property and Supplies, with the approval of the Governor and the United States of America, to sell at public sale to the highest bidder certain real estate located in Dauphin County, recently acquired by the Commonwealth from the Reconstruction Finance Corporation.

For the information of the House, this is the steel mill plant and bomb plant which was purchased earlier in the year, and I understand that they now want to sell it. I would like, Mr. Speaker, to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BRUNNER. I shall, Mr. Speaker.

Mr. MORAN. Mr. Speaker, I would like to ask the gentleman from Montgomery, Mr. Brunner, the Majority Floor Leader, why at this time the state is trying to sell this property.

Mr. BRUNNER. Mr. Speaker, as was stated on the floor at the time this bill was passed several months ago, there were no bidders available for this property other than the state, and it was to give an opportunity to the state to purchase the property, which it subsequently did.

I am informed, in keeping with the Governor's statement after the title to the property was acquired, to the effect that this property would be sold if any corporation, industrial concern or otherwise wanted it, and the state would make it available, even after the state took title.

I am also informed for the information of the gentleman that there is presently offered and will be legally offered, if this bill becomes law, a bid of five hundred and fifteen thousand dollars as a starting bid on an auction at public sale of this property, excepting some one hundred eighteen feet of land which contains, and on which is erected a very large administration building, which will remain the property of the state and which will be used by the state as offices for the General State Authority. In other words, we are in this position, if I may continue, that the state, if this bill goes through has an opening offer at the public sale for this whole property other than the substantial administration building, at the price which it paid for the entire property.

Mr. MORAN. Mr. Speaker, I would like to ask the gentleman who is selling this property. Is it being sold through an agent or is the state carrying on the negotiations for the sale?

Mr. BRUNNER. Mr. Speaker, the Department of Property and Supplies itself, I have been given to understand, will sell this property at public sale.

May I also add that the building which the state retains, it is estimated, would cost two million dollars to erect or acquire.

Mr. MORAN. Mr. Speaker, I would like to ask the gentleman, is the state selling this property at a loss or at a profit.

Mr. BRUNNER. Mr. Speaker, if my information is correct, the state cannot lose. The state will receive back at least what it paid for the property, retaining a portion of the property worth somewhat around two million dollars, which it gets in effect for nothing, or which it actually gets for nothing.

Mr. MORAN. Mr. Speaker, is there any organization now bidding on the property, does the gentleman know?

Mr. BRUNNER. Mr. Speaker, may I inform the gentleman that until this becomes law the State is in no position to accept any bids or receive any bids.

Mr. MORAN. Mr. Speaker, that is not the question I asked. I asked if the gentleman knew whether or not anybody wanted to bid on this property.

Mr. BRUNNER. Mr. Speaker, I know that there is a bidder, whoever it may be, who is willing to offer a starting or opening bid of five hundred fifteen thousand dollars.

Mr. MORAN. Mr. Speaker, were any of those bidders

originally bidding on the property before the property was purchased in the beginning by the state?

Mr. BRUNNER. Mr. Speaker, my information was at the time the bill was passed several months ago that there were no bidders on this property and that the Federal Government could find no bidders under the terms by which they would sell the property.

Mr. MORAN. Mr. Speaker, will the gentleman tell me a good reason why they are selling this property now.

Mr. BRUNNER. For a good reason, Mr. Speaker. In so doing they get back the taxpayer's money that they spent for it, and save the taxpayers approximately two million dollars which would have to be expended to acquire a building for the General State Authority. I think that is a very good reason.

Mr. MORAN. Mr. Speaker, will the gentleman admit that when they first purchased the property they made a blunder?

Mr. BRUNNER. Mr. Speaker, I hope that I will be able to make such a blunder, if this is a blunder, once a week for the next twenty-five years.

Mr. MORAN. Mr. Speaker, we hope that the gentleman is as right as he thinks he is.

Mr. BRUNNER. Mr. Speaker, I don't see how I could be wrong on this one.

Mr. MORAN. Mr. Speaker, we tried to tell the administration, we tried to tell the Majority Leader of the House when they were originally purchasing this property that they were making a mistake, and now they are actually showing that they made a mistake by trying to get rid of it.

Mr. KONDRATH. Mr. Speaker, I am not going to ridicule the other side of the House, I am quite sure that the same people that are interested in the purchase of this property, are the same ones who were interested in the beginning. The United Steel Workers of America tried to get the administration people to take over this property so that employers could find jobs for some twenty-five hundred people. There would have been bidders who would have bid higher, and would have been very glad of having the opportunity of taking over this plant. I urge all the Members of the House to vote for the passage of this bill.

Mr. BRUNNER. Mr. Speaker, I wonder if the House realizes that even after this property had been purchased by the state that the administration took the position if any industry wanted to purchase this property from the Federal Government at the price at which the state paid for it, that the state would yield its position, and that statement was made in the presence of the War Assets Administration officials, so that there would be no misunderstanding, yet despite that no offers were made. As a result the state took title, after giving a reasonable opportunity to everybody and anybody to meet the state's price which it had offered for this property.

Mr. FILO. Mr. Speaker, I am not opposed to this bill, but as you recall, in the early part of the session when we were discussing the purchase by the state of this particular plant, on the opposite side of the House the Majority Leader stated that he was pleading for storage space for the Commonwealth. Now, Mr. Speaker, I don't recall any buildings being used for storage space, and I just want to know what happened.

Mr. BRUNNER. Mr. Speaker, is the gentleman interrogating me?

Mr. FILO. Yes, Mr. Speaker.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BRUNNER. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, I would like to ask what happened to the storage space. I would just like to find out where we acquired so much storage space that we don't need this plant any more for storage space, if we did.

Mr. BRUNNER. Mr. Speaker, I don't know what storage space has been acquired since this purchase was made, but I do know that at the price we paid we will recoup a good and very valuable building and make a profit. Under the circumstances we are in duty bound to protect the taxpayers' money and take advantage of this business deal.

Mr. FILO. Mr. Speaker, the state seems to be in the real estate business, is that right?

Mr. BRUNNER. Mr. Speaker, briefly, no.

Mr. FILO. Mr. Speaker, I thank the gentleman.

#### QUESTION OF INFORMATION

Mr. VERONA. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. VERONA. Mr. Speaker, what page is this bill on? I lost my calendar.

The SPEAKER. For the information of the gentleman from Allegheny, we are considering Senate Bill 970, printers No. 621, page 56.

Mr. VERONA. I thank you, Mr. Speaker.

Mr. MORAN. Mr. Speaker, I listened with a great deal of interest to the Majority Leader stating when the state purchased this property they agreed to sell it to anybody who would give them the same amount of money for the property. However, he did not say that the statement was made after the organized labor group in Harrisburg and several other groups brought pressure upon the administration to make that statement.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelschi,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Tahl,
Bucchin,	Helm,	Musto,	Stuart,
Cadwalader,	Herman,	Nagel,	Swope,
Clapper,	Hersch,	Najaka,	Taylor,

Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Ewing,	Kline,	Price, R. A.,	Williams,
Evans,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### PERMISSION TO ADDRESS HOUSE

Mr. COLE asked and obtained unanimous consent to address the House.

The remarks made by Mr. Cole at this point were expunged from the record on motion by Mr. Andrews.

#### REMARKS EXPUNGED FROM RECORD

Mr. ANDREWS. Mr. Speaker, I would move that the gentleman's request to be placed on the roll call be expunged.

The motion was agreed to.

#### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 978, as follows:

An Act to amend the title and the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions

thereof and repealing certain prior acts" by further regulating magistrates and magistrates' courts and practice increasing the salary of magistrates defining additional unlawful practices imposing duties upon the Attorney General and the District Attorney and repealing certain sections and inconsistent legislation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" is hereby amended to read as follows

An Act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates and fixing their compensation imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in and defining magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia the Attorney General and the District Attorney providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing the salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts

Section 2 Section six of the said act is hereby amended to read as follows

Section 6 The board of magistrates hereinafter provided for shall by rule or regulation adopted as hereinafter provided prescribe forms for civil and criminal dockets which shall be kept [in each of said courts by the magistrates holding the same and in which shall be entered daily all proceedings of said courts and all official actions of the magistrates therein] by each magistrate and in which each magistrate shall enter daily all proceedings held before him and all official actions taken by him and it shall be the duty of the magistrate receiving any costs fees fines penalties or other moneys to note the same in the margin of the proper docket opposite to the entry of the case in respect to which the same is received with the date at which and the name of the person from whom the same was received together with the date and the person to whom the same was paid Said docket shall be open to the inspection of any person during the hours when the court is required to be kept open

Section 3 Section seven of the said act is hereby amended to read as follows

Section 7 Each magistrate shall keep a daybook in which he shall enter all costs fee fines penalties and other moneys collected by him with the date when the person from whom and the purpose for which the same were received He shall also note therein the time when and the manner in which the same was disposed of and the books and papers of said court including said daybooks shall

be the property of the Commonwealth of Pennsylvania and may be taken into custody at any time with the approval of a court of common pleas by the Attorney General for inspection auditing or investigation purposes He shall pay over to the city treasurer within five days after the first Monday of every month all costs of suits fees fines penalties and other sums of money received during the preceding month excepting constables' fees which shall be paid directly to the constable entitled thereto by said magistrate during the preceding month except such costs and judgments as the parties to any proceeding before him may by law be entitled to receive and shall at the same time furnish to the controller of the city of Philadelphia under oath or affirmation an accurate account of all moneys so paid either into the city treasury or to constables The controller of the city shall not countersign any warrant for the monthly payment of the salary of any magistrate until he is satisfied from inspection by himself or his deputy of the dockets daybooks or other books of such magistrate that his accounts are correct and that all payments required by law to be made to the city treasurer have been so made

Section 4 Section ten of the said act is hereby amended to read as follows

Section 10 There shall be established a [central police court] magistrates' court in the city hall of the city of Philadelphia which shall be open [with a magistrate continually present thereat] during the entire twenty-four hours of each day with a magistrate continually present thereat or immediately available and to which the [mayor of the city of Philadelphia] chief magistrate shall regularly assign [from the body of magistrates a sufficient number of] magistrates to hold the same for the period of one month each [Provided however That the same magistrate shall not be assigned for consecutive months and that no magistrate shall be assigned to said court more than once in every [six] twelve months This court will be the only magistrates' court in the city hall of the city of Philadelphia (with the exception of any court which may be set up solely for traffic cases in which magistrates as defined in Article 5 Section 12 of the Constitution shall sit or exercise the powers of their office and will be known as Central Police Court and a magistrate sitting therein will have the same criminal jurisdiction as a magistrate sitting in a divisional police court

Section 5 Section eleven of the said act is hereby amended to read as follows

Section 11 It shall be the duty of the chief magistrate to appoint and assign in rotation in the manner prescribed by the board of magistrates magistrates to serve as committing magistrates in the several divisional police [stations] courts in the city of Philadelphia but no magistrate shall be assigned longer than one month to the same [station house] divisional police court in any one year [Provided however That the] The chief magistrate after consultation with the district attorney and the director of public safety of the city of Philadelphia shall select not less than ten nor more than fifteen station houses which shall be known as divisional police courts and in which in addition to the hearings regularly held therein shall be exclusively (except as provided in Section 10 hereof) the hearings of all persons arrested on sight or on a police warrant for the following indictable offenses that is to say For treason sedition murder voluntary and involuntary manslaughter abortion arson blackmail perjury and subornation of perjury sodomy kidnapping mayhem receiving stolen goods obtaining money or other property by false pretense carrying concealed deadly weapons operating an automobile under the influence of intoxicating liquor the illegal possession and sale of machine guns and firearms and the illegal possession sale and use of narcotic drugs and also all forms of bribery rape assault and battery to ravish robbery burglary and entering with intent to commit a felony or felonies larceny forgery fraudulently making utter-

ing and publishing written instruments felonious assaults and batteries extortion keeping setting up and maintaining lotteries gambling houses gambling machines pool selling and book making keeping maintaining and frequenting bawdy houses and houses of assignation pandering and prostitution embezzlement fraudulent conversion offenses by public officers and also all conspiracies solicitations and attempt to commit any of the foregoing offenses and aiders abettors and accessories before and after the fact to said offense and compounding of the same

The said divisional police courts shall be selected from among the district police stations in such manner that they shall be most suitably and conveniently located for the dispatch of the public business therein and as far as practicable for the equal distribution among said divisional police courts of the hearings hereby required to be held therein exclusively. The magistrates assigned to preside at the divisional police courts shall also be assigned by the chief magistrate in rotation in the manner prescribed by this act and no magistrate shall be assigned longer than one month to the same divisional police court and every magistrate shall be assigned to each divisional police court in turn. It is the intention of this section that there shall be established a system of rotation whereby the same magistrates shall not be repeatedly assigned to the same [police station or] divisional police court and the judges of the courts of common pleas of Philadelphia County are hereby given authority to enforce this provision. Nothing herein contained shall operate to deprive any magistrate before whom a criminal case has been lawfully begun of jurisdiction and authority fully and completely to hear and dispose of the same and of all charges growing out of or connected with the transaction involved therein notwithstanding the charge or charges upon which the accused is held or convicted may not be within the jurisdiction of the divisional or district police court as the case may be in which the magistrate is sitting at the time.

It is hereby declared that the foregoing enumeration of offenses is intended to be inclusive and not exclusive and shall be liberally interpreted to carry out the legislative purpose as generally expressed therein.

No magistrate shall receive any additional compensation for acting as committing magistrate at any police station or at any divisional police court.

Section 6 Section sixteen of the said act is hereby amended to read as follows:

Section 16 Whenever pursuant to law any person or persons charged with the commission of any criminal offense or offenses has had bail lawfully fixed by a magistrate it shall be the duty of the magistrate taking bail to make a thorough inquiry into the sufficiency of such bail and he shall make a due and thorough investigation under oath into the financial responsibility of the recognizer or surety and it shall be his duty to take of such recognizer or surety a written justification under oath setting forth

\* \* \* \* \*

(11) The bail bond of a corporate surety may be accepted by the magistrate providing the surety company is one which has been approved for the entry of security in the courts of common pleas.

Section 7 Section seventeen of the said act is hereby amended to read as follows:

Section 17 No bail or recognizance shall be taken without a justification as aforesaid endorsed on the bond or recognizance duly signed and sworn to by such surety recognizer or bondsman and no bail shall be accepted unless said surety recognized or bondsman offers as security a property situate within the city of Philadelphia nor shall such bail be taken until the magistrate shall have verified the truth of certain statements in the justification as required in section eighteen hereof. The provisions of this section shall not apply to cases in which a judge of record shall accept as security a property situate without the city of Philadelphia or to cases in which cash bail is presented and accepted or where the bond of an approved corporate surety is entered.

Section 8 Sections twenty-one to thirty inclusive of the said act are hereby repealed.

Section 9 Section thirty-one of the said act is hereby amended to read as follows:

Section 31 There shall be a board of magistrates composed of all the magistrates of the city of Philadelphia. The said board shall be presided over by a chief magistrate who shall be the administrative representative and executive head of the said board and shall be selected in the manner and shall hold the position of chief magistrate for the term hereinafter provided. The chief magistrate shall have general supervision of the conduct of the business of all the courts held by the magistrates including traffic courts and between meetings of the board of magistrates shall have full power and authority to execute the rules and regulations of said board and to issue such necessary interim administrative orders and directions as the said board could issue and as are not inconsistent with existing law or said rules and regulations. The said board of magistrates shall have the power and it shall be its duty to consider supervise and prescribe rules and regulations for the conduct of the various civil and police courts by the magistrates and the practice and procedure in the administration of justice therein. The said board shall have the power to investigate of its own motion or on complaint of others any and all matters pertaining to the courts presided over by the magistrates the administration thereof and the official conduct of any person or persons connected therewith and take such lawful action in respect thereto as it may deem necessary and proper in the premises. The board of magistrates shall meet for the discharge of its duties at least four times in each year during the first week of the months of January April July and October and at such other times as it may be convened by the chief magistrate or at the written request of five or more magistrates. The meetings of the said board shall be held in the office of the chief magistrate and accurate complete and permanent minutes of such meetings shall be prepared by or at the direction of the chief magistrate and filed in the office of the chief magistrate. The minutes shall be the permanent property of the Commonwealth of Pennsylvania and may be taken into custody at any time with the approval of a court of common pleas by the Attorney General for inspection or investigation purposes.

Section 10 Section thirty-six of the said act is hereby amended to read as follows:

Section 36 The chief magistrate shall provide for the appointment of a sufficient number of stenographers or stenographic clerks as may be necessary regularly to be present at and report the proceedings in said central police court and divisional police courts in all cases required by this act to be heard exclusively therein as well as in cases where there are hearings on private warrants upon request of either party of interest or the magistrate issuing such warrant providing such request is made in writing twenty-four hours prior thereto. Said stenographers or stenographic clerks shall receive [an annual] salary [to be fixed by the chief magistrate not exceeding two thousand five hundred dollars (\$2500) per annum] as fixed by law.

Section 11 Section thirty-seven of the said act is hereby amended to read as follows:

Section 37 A On or after the first day of July one thousand nine hundred thirty-seven and thereafter whenever a vacancy occurs the chief magistrate shall appoint a chief clerk and a deputy stenographic clerk who shall respectively perform such duties as may be required of them by this act and by the chief magistrate and by rules adopted by the board of magistrates. The chief clerk and deputy stenographic clerk shall be entitled to serve at the pleasure of the chief magistrate [so long as they respectively behave themselves well]. Each clerk of a magistrate's court shall file with the chief clerk each month a report of the criminal business of said magistrate's court during the preceding month and such other

reports from time to time as the chief magistrate shall require. The chief clerk shall cause suitable blanks to be prepared and furnished for such purpose.

B Each magistrate whose term of office or next term of office commences after the first day of September one thousand nine hundred forty-nine shall receive a salary for his services of seven thousand five hundred dollars (\$7500) per annum. The chief magistrate's added compensation shall be and remain as heretofore. The deputy stenographic clerk and each clerk of a magistrate's court shall receive a salary of two thousand dollars per annum; the chief clerk a salary of two thousand five hundred dollars per annum as fixed by law. Said salaries shall be paid by the city in semimonthly payments.

Section 12 Section thirty-nine of the said act is hereby amended to read as follows:

Section 39 It shall be the duty of the stenographers or stenographic clerks as aforesaid to report in full the entire proceedings of the said central police court and divisional police courts in all cases required by this act to be tried exclusively therein and to file in the office of the clerk of the court of quarter sessions full true and complete verbatim transcripts or reports of said proceedings [within five days] as soon as practicable after the taking of the same or sooner if so specially directed by the presiding magistrate. Each such transcript or report shall be certified by the stenographer taking the same in the following form:

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the hearing of the above cause and that this copy is a correct transcript of the same.

.....  
Stenographer

Such transcripts or reports when so certified by the stenographer [and filed as aforesaid] shall upon any other trial or in any other proceeding in which it may become material to prove the matters therein reported be taken and held to be prima facie correct and if otherwise admissible in evidence shall be admitted without the necessity of calling the stenographer who made the said transcript or report as a witness to prove the same. The district attorney of the county of Philadelphia, the city solicitor of the city of Philadelphia, the chief magistrate and any judge of the courts of common pleas of said county shall on request be furnished with a copy of any such proceeding free of charge. All other persons desiring copies of any proceeding reported by any stenographer or stenographic clerk shall be entitled to receive the same upon payment of twenty cents (\$.20) for each page thereof. No stenographer nor stenographic clerk shall retain for himself any money received from the sale of a copy or copies of transcripts but shall pay over all moneys so received by him to the clerk of the magistrate before whom such hearing took place and shall be entered by the clerk in the day book and returned to the city treasurer of the city of Philadelphia and account for the same to the city controller.

Section 13 Section forty-one of the said act is hereby amended to read as follows:

Section 41 The district attorney of the county of Philadelphia may assign such number of his assistants as may be necessary to be present at and conduct on behalf of the Commonwealth all criminal hearings held in the central police court and divisional police courts herein provided for.

Section 14 Section forty-three of the said act is hereby amended to read as follows:

Section 43 It shall be unlawful for any magistrate to

(a) Review alter modify or remit any sentence of fine or imprisonment [lawfully] imposed by him or to alter any of his official decisions publicly pronounced in any criminal case heard by him in the central police court or divisional police court except in the presence of

and] with the written approval of the [prosecutor] district attorney or his assistant.

(b) Allow a further hearing in any criminal case without complying with the provisions of section fourteen of this act.

(c) Knowingly and wrongfully for the purpose of deceiving others use or permit the use of his signature seal of office or Coat of Arms of the Commonwealth of Pennsylvania on any unofficial paper, document, letter or communication.

(d) Fail to make an adjudication and enter the same in his appropriate docket in any case where a person has been brought before him charged with an indictable offense.

(e) Adjudge or enter a summary conviction for an indictable offense.

Section 15 This act shall become effective immediately upon its final enactment.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, I ask for the an explanation of the bill.

Mr. TAHL. Mr. Speaker, this bill is for the purpose of correcting certain deficiencies in the Act of 1937. As I have stated before, this bill is an amendment to the magistrates' Act of 1937. After a study by the Attorney General of the Magisterial system the Attorney General made certain suggestions, and the bill was introduced for the purpose of correcting those deficiencies. One of the features of the bill is that it gives the Attorney General the right to take into custody all the books and records of a magistrate, with the consent of the Court of Common Pleas.

Mr. GUARNIERI. Mr. Speaker, we from Philadelphia are opposed to this bill. I do not wish to take up the time of the House with a repetition of the argument that was presented the other day, when I presented an amendment.

It is true, as the gentleman from Philadelphia, Mr. Tahl, states, that this bill was drawn up by the Attorney General's office to correct certain deficiencies and certain wrongs or abuses perpetrated by the magistrates in the city of Philadelphia, as shown in two O'Malley trials in Philadelphia.

The original plan as submitted by the Attorney General's office was exemplified the other day as a result of amendments submitted by Mr. Tahl. Mr. Tahl's amendments would give the chief magistrate and the Republican organization in Philadelphia the opportunity to monopolize the most pivotal central police court, and that is the central police court in the City Hall.

I had offered an amendment to provide for a complete system of rotation for the magistrates in central police court equal to the system of rotation for district courts, so that there would be no monopolization of central police courts by a few Republican organization magistrates. That is so necessary in Philadelphia because the minority magistrates of the Democratic Party in the past have been excluded largely from the central police court, which has been used as a fulcrum to build up the organization which is responsible for the evils existing in Philadelphia today.

The amendments of the gentleman from Philadelphia,

Mr. Tahl, greatly weaken the Attorney General's bill. The Attorney General's original bill came from the Senate, and it provided for a rotation of magistrates in the central police court, and further it prohibited a magistrate from changing his position without the approval of the district attorney's office. We of the Philadelphia Democratic delegation must vote absolutely unanimously against this bill.

Mr. ROSE. Mr. Speaker, I find myself in a rather awkward position. I am speaking for myself and I do not intend to express the feelings of any member of the Philadelphia Democratic delegation or any other Member of this House, but in joining with the Republicans and the majority party in voting for this bill, I feel compelled to make a few statements to bring out the necessity for such a measure.

During this session there has been brought to the attention of the Members of this House the graft, incompetence and corruption that has existed in Philadelphia, and the efforts of the majority delegation to cover up such offenses have not been too secure. However, in this particular measure we find that the Republican machine in Philadelphia is taking a step that I say they were reluctant to take.

This measure was introduced at the behest of the Attorney General's office, as the gentleman from Philadelphia, Mr. Tahl, indicated, in the light of disclosures of vast abuses that existed in the magistrates' system in Philadelphia. It is common knowledge that in the conduct of the Chief Magistrate's office in Philadelphia there were certain steps taken that were abuses of the powers that existed under the old Magistrates' Act. It is common knowledge too that the Mayor of Philadelphia and the District Attorney of Philadelphia should have been cognizant of the steps being taken, but they apparently did not recognize them, or if they did recognize them, they took no steps to eliminate these abuses. Unfortunately, the Mayor of Philadelphia has been so busy visiting firemen and taking generals in jeeps and shaking hands with Miss Cotton Queen when she visits Philadelphia that he was not aware of the abuses that were brought forcibly to the attention of the Philadelphia citizenry by the excellent investigation conducted by the Attorney General's office.

Mr. Speaker, I do want to say that the amendments that were offered the other day by the gentleman from Philadelphia, Mr. Guarnieri, if they had been inserted in the measure, would have improved the measure considerably. However, in light of the fact that they do not appear in the bill in its present form, we should still vote for this measure because it is a step in the right direction. I think that the Republican organization has made a tacit admission here by the simple introduction of this bill and the pressure for its passage, that the administration of Philadelphia has been derelict in their duties, and that the Mayor has failed to comply with the obligation he had when he took the oath of office to uphold the law.

Mr. Speaker, in passing this measure we will go ahead and provide additional machinery and safeguards to protect the magisterial system. Most of the magistrates of Philadelphia have been conscientious individuals who have conducted their offices properly, with few exceptions. A few magistrates have failed to live up to the letter of the law and have cast discredit upon the entire magis-

terial system. This measure will in some degree aid us in eliminating some of the evils that now exist in the magisterial courts in Philadelphia.

I do want to point out, Mr. Speaker, that the real measures which should be taken in Philadelphia to improve the conduct of the magisterial courts are, first, of all, the election of a vigilant and alert district attorney, which we do not have in Philadelphia. In this measure we are turning over to the Attorney General functions that the district attorney should have exercised and failed to do.

Secondly, the election of a mayor who will be cognizant of his duties and will be able to perform them without ignoring what has taken place in the past.

Thirdly, Mr. Speaker, I do want to say that in so far as I am concerned, if I had a choice as to who would select the individuals who would sit in these police courts, I would prefer to go along with the chief magistrate of Philadelphia, who, as every one will concede is an able and conscientious magistrate, and has been doing his duty properly and who is sincerely and honestly interested in bringing the magisterial system in Philadelphia to the point where they will render the best service for the citizens of Philadelphia. Consequently, Mr. Speaker, I am voting for this measure.

Mr. TAHL. Mr. Speaker, I will only take a minute or two. I only want to say this, that Mr. Guarnieri is absolutely mistaken when he says that my amendments did not have the approval of the Attorney General. I want to say that the amendments were handed to me by a representative of the Attorney General's office.

I want to say further, Mr. Speaker, that this bill has the full, complete and hearty support of the Republican party in Philadelphia and that it is a bill in the interest of clean government. When the Democratic organization in Philadelphia opposes this bill, it reveals that they are not in favor of clean government; that it is just lip service, a sham and a hypocrisy. If you are for a good government you will vote for this bill. If you are against good government, you will vote against it.

Mr. ROSE. Mr. Speaker, I cannot refrain from answering the gentleman from Philadelphia, Mr. Tahl. I think that our record in this Legislature in this session and in the preceding sessions indicates that the Philadelphia Democratic delegation has consistently voted for those measures designed to improve Philadelphia's government, and they have consistently backed up measures aimed to improve Philadelphia's government.

The mere fact that Mr. Tahl says that a vote against this measure would indicate that we are opposed to clean government in Philadelphia, of course, is something that you will judge and I think in the forthcoming municipal election the citizens of Philadelphia will indicate how they feel about the Democratic stand on good government. We have fought for it and will continue to fight for it from now on.

Mr. ROVANSEK. Mr. Speaker, I wish to be recorded as not voting.

Mr. ANDREWS. I wish to advise the Speaker that I am sorry that this issue raised by the gentleman was not raised earlier in the session, because I have sometimes planned to make a parliamentary inquiry to establish the right of a Member to vote "present" and to see what the House was actually going to do about it, if he

insisted upon his stand. My contention has always been that the House could not do anything about it.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—114

Altschuler,	Flack,	Kratz,	Rose,
Barkdoll,	Fleming,	Kurtz,	Royer,
Baumunk,	For,	Lee,	Sax,
Bednarek,	Frank,	Lelsey,	Scott,
Blair,	Frost,	Loftus,	Shoemaker,
Bloom,	Gallagher,	Madigan,	Smith, C. C.,
Bomberger,	George,	McCormack,	Sollenberger,
Boorse,	Gibson,	McCullough,	Spencer,
Bower,	Goodling,	McKinney,	Stimmel,
Breisch,	Graybill,	McMillen,	Stuart,
Brice,	Green,	Mikula,	Tahl,
Brunner,	Greenwood,	Miller,	Thompson,
Cadwalader,	Greer,	Milliken,	Tompkins,
Clapper,	Guthrie,	Mintess,	Toomey,
Clendenning,	Hall,	Moore, C. E.,	Varnier,
Cooper,	Haudenschild,	Moore, H. A.,	Wachhaus,
Costa,	Helm,	Murray,	Wagner,
Dalrymple,	Herman,	Najaka,	Waterhouse,
DeLong,	Hewitt,	Neff,	Watkins,
Dennison,	Hocker,	O'Dare,	Weldner,
Depuy,	Hoffman,	O'Donnell,	Wescott,
Driscoll,	Jennings,	Orban,	Wood,
Dye,	Johnson,	Price, H. W., Jr.,	Yaffe,
Elder,	Jump,	Propert,	Yeakel,
Erb,	Keller,	Reagan,	Young,
Ewing,	Kemp,	Reilly, J. M.,	Ziegler,
Felton,	Kent,	Riley, R. L.,	Sorg,
Ferster,	Kline,	Robbins,	Speaker
Firmstone,	Kohl,	Robertson,	

## NAYS—91

Amarando,	Hagerty,	Monroe,	Sarraf,
Andrews,	Hamilton,	Moran,	Scanlon,
Bane,	Harris,	Munley,	Schmidt,
Beaver,	Heatherington,	Musto,	Schuster,
Boles,	Hersch,	Nagel,	Seyler,
Brandon,	Hoggard,	Needham,	Smith, W. B.,
Breth,	Hunter,	Nixon,	Snider,
Brown, H. S.,	Jenkins,	Olsen,	Stank,
Brown, W. M.,	Jim,	Penglas,	Sternberg,
Bucchin,	Jones, G. E.,	Pentrack,	Swope,
Cochran,	Jones, J. M.,	Peta,	Taylor,
Cole,	Kamyk,	Petrosky,	Varallo,
Coleman,	Kirley,	Pettigrew,	Verona,
Conway,	Kolankiewicz,	Pfaff,	Wargo,
Dougherty,	Kondrath,	Polen,	Weiss,
Duffy,	Lederer,	Posta,	Welsh,
Evans,	Leonard,	Powers,	Westrick,
Filo,	Limper,	Price, R. A.,	Wheeler,
Floyd,	Lovett,	Readinger,	Williams,
Gaffney,	McGee,	Reese,	Worley,
Glembocki,	McNally,	Reidenbach,	Yester,
Good,	Mihm,	Reynolds,	Yetzer,
Guarneri,	Mills,	Rosen,	

## NOT VOTING—3

Harney,	Krise,	Rovansek,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 796

Mr. KENT. Mr. Speaker, I present the report of the Committee of Conference on Senate Bill No. 796.

The report was read by the Clerk.

The SPEAKER. This being a Senate Bill, the report will be noted in the Journal and printed by the Senate.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 981, entitled:

An Act to further amend clause (a) of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivisions of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating refunds with the Board of Finance and Revenue

On the question,

Will the House agree to the bill on third reading?

## BILL DROPPED FROM CALENDAR

Mr. DeLONG. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 689, as follows:

An Act to further amend section five hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain depart-

ments boards and commissions shall be determined" by eliminating the requirement that contractors file with the Commonwealth certified payrolls of work done under public work contracts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 522 Wage Specifications in Contracts for Public Works The specifications upon which contracts are entered into by the Commonwealth for the construction alteration or repair of any public work shall as far as possible contain the minimum wage or wages which may be paid by the contractor or his subcontractors for the work performed by laborers and mechanics employed in such public work and such laborers or mechanics shall be paid not less than such minimum wage or wages and shall not be required to refund directly or indirectly any part of such wage or wages [The contractor shall submit to the Commonwealth certified detailed payrolls giving names classifications hours worked rates per hour and total paid on each pay day] The contractor shall [also] certify that he is not receiving or requiring or will not receive or require directly or indirectly from any employee any refund of any such minimum wage or wages

Every contract entered into upon such specifications shall stipulate a penalty of an amount equal to twice the difference between the minimum wage contained in said specifications and the wage actually paid to each such laborer or mechanic for each day during which he has been employed at a wage less than that prescribed in said specifications Every officer or person designated as inspector of the work to be performed under any such contract or to aid in the enforcing of the fulfillment thereof shall upon observation or investigation report to the department board or commission which made the contract award all violations of minimum wage stipulations together with the name of each laborer or mechanic who has been paid less than that prescribed by the specifications and the day or days of such violation All such penalties shall be withheld and deducted for the use of the Commonwealth from any moneys due the contractor by the officer or person whose duty it shall be to authorize the payment of moneys due such contractor whether the violation of the minimum wage stipulation of the specifications is by the contractor or by any of his subcontractors

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

#### MOTION TO DROP FROM CALENDAR

Mr. HEATHERINGTON. Mr. Speaker, I move that this bill be dropped from the calendar.

On the question,

Will the House agree to the motion?

Mr. BRUNNER. Mr. Speaker, I ask the Members to vote down this motion.

Mr. ANDREWS. Mr. Speaker, wouldn't the gentleman rather have the motion voted down than have a protracted debate, at this late hour of the day?

Mr. BRUNNER. I think there is an issue here, Mr. Speaker, which can be decided by the Members without any protracted debate.

Mr. ANDREWS. I hope, Mr. Speaker.

Mr. BRUNNER. So do I, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I request a roll call, and we will verify this roll call.

Mr. BRUNNER. Mr. Speaker, I recognize that the statement by the Minority Leader to the effect that "We will verify this roll call" was made out of order and cannot be requested until after the roll has been taken.

I did not want the Members in their eagerness to dispose of business to lose sight of the fact that we still have business to transact of an important nature, although this may not be in that category. This is another bill for consideration by the membership of this House and I do not wish any suggestion that there will be a verification to persuade the Members that they should vote "no" on this bill. If, however, the gentleman wishes to have this roll verified after the roll has been called, I will be pleased to second that request.

Mr. ANDREWS. Mr. Speaker, I simply suggest that if the majority has one hundred and five verified votes in the House, there is no reason to debate the bill. That is the reason I said I would request a verification of the roll. If he has got one hundred and five votes in the House we will let him go ahead to a roll call and not bother about it.

The SPEAKER. The Chair thanks the gentleman.

Mr. BRUNNER. Mr. Speaker, I will accept that.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Andrews and Mr. Bane.

A verification of the roll was requested by Messrs. Andrews, Lovett and Brunner.

The roll was verified and was as follows:

#### YEAS—89

Amarando,	Harris,	Munley,	Sarra,
Andrews,	Heatherington,	Musto,	Scanlon,
Bane,	Hersch,	Nagel,	Schmidt,
Beaver,	Hunter,	Needham,	Schuster,
Bloom,	Jenkins,	Nixon,	Seyler,
Brandon,	Jim,	Penglase,	Smith, W. B.,
Brown, H. S.,	Jones, G. E.,	Pentrack,	Snider,
Bucchin,	Jones, J. M.,	Peta,	Stank,
Cole,	Kamyk,	Petrosky,	Sternberg,
Conway,	Kirley,	Pettigrew,	Stuart,
Dalrymple,	Kohl,	Pfaff,	Swope,
Dougherty,	Kolankiewicz,	Polen,	Taylor,
Duffy,	Kondrath,	Posta,	Varallo,
Flo,	Lederer,	Powers,	Verona,
Fleming,	Limper,	Price, R. A.,	Wargo,
Floyd,	Lovett,	Readinger,	Weiss,
Gaffney,	McGee,	Reese,	Welsh,
Glembocki,	Mikula,	Reidenbach,	Westrick,
Good,	Milliken,	Reynolds,	Wheeler,
Guarneri,	Mills,	Rose,	Williams,
Hagerty,	Monroe,	Rosen,	Worley,
Hamilton,	Moran,	Rovansek,	Yester,
Harney,			Yetzer,

## NAYS—106

Altshuler,	Flack,	Kratz,	Royer,
Barkdoll,	Fox,	Kurtz,	Sax,
Baumunk,	Frank,	Lee,	Scott,
Bednarek,	Frost,	Leisey,	Shoemaker,
Blair,	Gallagher,	Loftus,	Smith, C. C.,
Bomberger,	George,	Madigan,	Sollenberger,
Bower,	Gibson,	McCormack,	Spencer,
Breisch,	Goodling,	McCullough,	Stimmel,
Brice,	Graybill,	McKinney,	Tahl,
Brown, W. E.,	Green,	McMillen,	Thompson,
Brunner,	Greenwood,	Miller,	Tompkins,
Cadwalader,	Greer,	Mintess,	Toomey,
Clapper,	Guthrie,	Moore, C. E.,	Varner,
Clendenning,	Hall,	Moore, H. A.,	Wachhaus,
Cooper,	Haudenschild,	Murray,	Wagner,
Costa,	Helm,	Neff,	Waterhouse,
DeLong,	Herman,	O'Dare,	Watkins,
Dennison,	Hewitt,	O'Donnell,	Weidner,
Depuy,	Hocker,	Orban,	Wescott,
Driscoll,	Hoffman,	Price, H. W., Jr.,	Wood,
Dye,	Jennings,	Propert,	Yaffe,
Elder,	Johnson,	Reagan,	Yeakel,
Erb,	Jump,	Reilly, J. M.,	Young,
Ewing,	Keller,	Riley, R. L.,	Ziegler,
Felton,	Kemp,	Robbins,	Sorg,
Ferster,	Kent,	Robertson,	
Firmstone,	Kline,		Speaker

## NOT VOTING—13

Boles,	Cochran,	Hoggard,	McNally,
Boorse,	Coleman,	Krise,	Mihm,
Breth,	Evans,	Leonard,	Najaka,
			Olsen,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—106

Altshuler,	Flack,	Kline,	Robertson,
Barkdoll,	Fox,	Kratz,	Royer,
Baumunk,	Frank,	Kurtz,	Sax,
Bednarek,	Frost,	Lee,	Scott,
Blair,	Gallagher,	Leisey,	Shoemaker,
Bomberger,	George,	Loftus,	Smith, C. C.,
Bower,	Gibson,	Madigan,	Sollenberger,
Breisch,	Goodling,	McCormack,	Spencer,
Brice,	Graybill,	McCullough,	Stimmel,
Brown, W. E.,	Green,	McKinney,	Tahl,
Brunner,	Greenwood,	McMillen,	Thompson,
Cadwalader,	Greer,	Miller,	Tompkins,
Clapper,	Guthrie,	Mintess,	Toomey,
Clendenning,	Hall,	Moore, C. E.,	Varner,
Cooper,	Harney,	Moore, H. A.,	Wachhaus,
Costa,	Haudenschild,	Murray,	Wagner,
DeLong,	Helm,	Neff,	Waterhouse,
Dennison,	Herman,	O'Dare,	Watkins,
Depuy,	Hewitt,	O'Donnell,	Weidner,
Driscoll,	Hocker,	Orban,	Wescott,
Dye,	Hoffman,	Price, H. W., Jr.,	Wood,
Elder,	Jennings,	Propert,	Yaffe,
Erb,	Johnson,	Reagan,	Yeakel,
Ewing,	Jump,	Reilly, J. M.,	Young,
Felton,	Keller,	Riley, R. L.,	Ziegler,
Ferster,	Kemp,	Robbins,	Sorg,
Firmstone,	Kent,		Speaker

## NAYS—89

Amarando,	Harris,	Munley,	Scanlon,
Andrews,	Heatherrington,	Musto,	Schmidt,
Bane,	Hersch,	Nagel,	Schuster,
Beaver,	Hunter,	Needham,	Seyler,
Bloom,	Jenkins,	Nixon,	Smith, W. B.,
Brandon,	Jim,	Penglase,	Snider,
Brown, H. S.,	Jones, G. E.,	Pentrack,	Stank,
Bucchin,	Jones, J. M.,	Peta,	Sternberg,
Cole,	Kamyk,	Petrosky,	Stuart,
Conway,	Kirley,	Pettigrew,	Swope,
Dalrymple,	Kohl,	Pfaff,	Taylor,
Dougherty,	Kolankiewicz,	Polen,	Varallo,
Duffy,		Posta,	Verona,

Filo,	Kondrath,	Powers,	Wargo,
Fleming,	Lederer,	Price, R. A.,	Weiss,
Floyd,	Limper,	Readinger,	Welsh,
Gaffney,	Lovett,	Reese,	Westrick,
Glembocki,	McGee,	Reldenbach,	Wheeler,
Good,	Mikula,	Reynolds,	Williams,
Guarnieri,	Milliken,	Rose,	Worley,
Hagerty,	Mills,	Rosen,	Yester,
Hamilton,	Monroe,	Rovansek,	Yetzer,
	Moran,	Sarra,	

## NOT VOTING—13

Boles,	Cochran,	Hoggard,	McNally,
Boorse,	Coleman,	Krise,	Mihm,
Breth,	Evans,	Leonard,	Najaka,
			Olsen,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## REASONS FOR VOTE ON HOUSING BILLS

Mr. DALRYMPLE filed the following reasons for his vote on House Bills No. 1052, 1053, 1054, 1055, 1056, 1057, 1058 and 1059:

On Tuesday of this week, I voted in the negative on housing. I was under a misapprehension regarding those measures, particularly the slum clearance and urban redevelopment provisions. Many members from small communities and rural areas held similar beliefs because these features of the bills were not fully explained by those best qualified to speak on their purposes and effects. It was for these reasons that I voted no.

In and about Erie there are thousands of war veterans who need homes. We do not have slums in my city. Ours is a beautiful city of homes, as you who have visited our community, are aware. There is a shortage of living space. We need dwellings, and we need them now.

I thought that the slum clearance features of the bills and the other counterpart, urban redevelopment, would not be helpful to us; that a great proportion of the \$15,000,000 would be earmarked for these two purposes. I was not aware of the amendment limiting to 30 per cent, the amount of money that could be used for slum clearance and urban redevelopment. This is not an unreasonable amount of the \$15,000,000 appropriation, considering what can be accomplished in behalf of Philadelphia and Pittsburgh, and possibly Easton. I am glad that those cities will at last have funds to be matched by the Federal Government to clean-up blighted areas and slums.

If I had the opportunity to again vote on these same housing bills, I would vote yes, for the program, as I now understand it, will be enormously helpful to war veterans and other citizens of the Commonwealth who are so badly in need of homes.

This is my statement on voting on this housing bill.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 1052.

An Act merging and consolidating State housing with

State planning merging the State Board of Housing with the State Planning Board establishing a State Planning Code and repealing certain acts

#### HOUSE BILL No. 1053.

An Act to amend the title and further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" by extending the act to all cities changing the scope of the field of operation of a county authority providing for the use of State grants or contributions towards payment of bonds and interest and as additional pledge therefor and transferring the administration of the act from the State Board of Housing to the State Planning Board

#### HOUSE BILL No. 1054.

An Act to amend the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound re-planning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employees of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by substituting the State Planning Board for the State Board of Housing

#### HOUSE BILL No. 1056.

An Act to amend the title and sections three fourteen and twenty-one of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 704) entitled "An act to promote the public health safety morals and welfare by providing for the creation of corporations to be known as limited dividend housing companies for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to be let at reasonable rentals or sold providing for the ac-

quisition of property by the exercise of the power of eminent domain through the State Board of Housing providing for the supervision and regulation of the activities of such companies by the State Board of Housing in the Department of Health and regulating the supervision by the State board of any such companies aided by the Federal Government or agencies thereof defining the rights powers and duties of such companies and of persons investing in or dealing with such companies authorizing such companies to lease and operate or to manage projects of any housing authority and borrow money from agencies of the United States Government exempting all such companies from the payment of any capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions authorizing certain existing companies to accept the provisions of this act and repealing inconsistent acts" by transferring supervision and regulation of such companies to the State Planning Board

#### HOUSE BILL No. 1057.

An Act to amend sections three and four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-seven (P. L. 888) entitled "An act to authorize cities boroughs towns townships counties and other public bodies to aid housing projects of housing authorities or of the United States of America by furnishing parks playgrounds streets and other improvements and facilities by exercising certain other powers and by making agreements relating to such aid to authorize cities boroughs towns townships and counties to contract with respect to the sums to be paid them for improvements services and facilities to be provided for the benefit of housing projects and the occupants thereof to authorize certain cities and counties to make an appropriation for the first years' administrative expenses of housing authorities and to authorize certain cities boroughs towns and counties to pay moneys to housing authorities" by removing any ambiguity as to the powers of a State public body with respect to long term agreements and changing definition of term "Housing Project"

#### HOUSE BILL No. 1058.

An Act to amend sections four and six of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 982) entitled "An act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties" by removing any ambiguity as to the powers of a State public body with respect to long term agreements and permitting State public bodies to issue bonds to provide funds for local contributions required by Federal law

#### HOUSE BILL No. 1059.

An Act to further amend section four hundred fifty-one and to amend section two thousand five hundred two B of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the

salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain department boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by reconstituting the State Planning Board and changing its functions

#### HOUSE BILL No. 1062.

An Act to further amend section two thousand seven hundred eighteen of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing boroughs to make appropriations from the general borough funds for recreation purposes

#### HOUSE BILL No. 1173.

An Act to amend sections six and twelve of the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement upon such transfers.

#### HOUSE BILL No. 1174.

An Act to amend section five and to further amend section eleven of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; imposing certain charges on counties and prescribing penalties," authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement upon such transfers.

#### HOUSE BILL No. 1222.

An Act to further amend section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by granting per diem and other legislative employes now State employes credit for such legislative service

#### HOUSE BILL No. 1260.

An Act authorizing cities of the first class to adopt and enforce ordinances relating to health and sanitary conditions of leased dwellings; to create Dwelling Inspection Boards in the Department of Public Health in such cities, to require tenancy permits to be issued; and to provide penalties for violations thereof.

#### HOUSE BILL No. 1292.

An Act to further amend subsection (a) of section two hundred nineteen of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commission and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further providing for the determination of persons of low income by nonprofit medical service corporations

#### HOUSE BILL No. 1329.

An Act making an appropriation to the Department of Property and Supplies for the purpose of acquiring by gift or purchase on behalf of the Commonwealth the Codorus Forge and Furnace in Hellam Township York County

#### HOUSE BILL No. 1330.

An Act to amend section one of the act approved the twenty-fourth day of March one thousand nine hundred forty-nine and designated as Act No 24 (P. L. ) entitled "An act to reenact and further amend the title and the act approved the fourteenth day of May one thousand nine hundred forty-seven (P. L. 249) entitled as amended 'An act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared used sold transported or delivered within the Commonwealth and by others requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks and providing penalties' by further regulating the procedure and the jurisdiction of the Department of Revenue and of the Board of Finance and Revenue relative to claims for refunds and by extending the provisions thereof for a further limited period of time" by inserting the words carbonated waters in and further clarifying the definition of syrups and bottled soft drinks and by extending the period of time during which the department may advance tax crowns or stamps in certain cases

#### HOUSE BILL No. 312.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commis-

sions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating the State Board of Chiropractic Examiners and defining its powers and duties

#### HOUSE BILL No. 460.

An Act to reenact amend and revise the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto"

#### HOUSE BILL No. 668.

An Act to amend section two and three of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" by authorizing direct purchases in certain cases

#### HOUSE BILL No. 879.

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by redefining "regulation" changing provisions governing promulgation of regulations imposing duties on the Department of State extending the grounds for refusing to affirm adjudications of agencies requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected

#### HOUSE BILL No. 897.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the World War II Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption and refunding of such bonds and making an appropriation

#### HOUSE BILL No. 898.

An Act to further amend subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local opinion to sell such beverages

for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by exempting television exhibitions from provisions of the act requiring special permits.

#### HOUSE BILL No. 1055.

An Act providing and regulating State assistance including slum clearance and redevelopment and making an appropriation

#### HOUSE BILL No. 1102.

An Act defining cold storage requiring licenses to operate cold storage warehouses and locker plants requiring records reports marking wrapping protecting limiting time of storage disposition sale return or transfer of foods in cold storage conferring powers on the Department of Agriculture including adoption of rules and regulations special permits for storage feeding stuffs for animal use and providing penalties for violation of this act

#### HOUSE BILL No. 1136.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-nine.

#### HOUSE BILL No. 1137.

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

#### HOUSE BILL No. 1216.

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes of certain political subdivisions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

#### HOUSE BILL No. 1317.

A supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners extending the jurisdiction powers and duties of The Delaware River Port Authority and defining such additional jurisdiction powers and duties conferring power of veto upon the Governor to take effect upon the enactment of sub-

stantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two State in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### RESOLUTION NO. 72

Mr. ROYER. Mr. Speaker, I desire to call up on page 60 of today's calendar, House Resolution No. 72.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 25, 1949.

Whereas The Indiantown Gap Military Reservation located in this Commonwealth has been leased to the United States for purposes relating to National Defense and

Whereas Many buildings at such reservation erected by the United States are in dire need of painting at present to keep them from deteriorating and

Whereas It is wasteful to allow otherwise good buildings to deteriorate merely because they require immediate painting now therefore be it

Resolved by the House of Representatives That the Secretary of Defense is hereby requested to give his prompt attention to the pressing matter of painting immediately these buildings erected by the United States at the Indiantown Gap Military Reservation in Pennsylvania and to order that the necessary painting be done without delay in order to prevent their decay and to avoid needless waste and false economy and be it further

Resolved That copies of this resolution be forwarded to the Secretary of Defense Louis A Johnson Washington D C General Omar N Bradley Chief of Staff U S Army Washington D C Lt Gen Leonard T Gerow Commanding General Second Army Fort Meade Maryland and to the Governor and Adjutant General of this Commonwealth

### SENATE MESSAGES

#### SENATE RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, March 16, 1949.

Whereas, Thomas Fitzsimons, the American patriot, the father of American protective tariff and the statesman chiefly responsible for the financial stability of the United States during its formative years of its existence; and

Whereas, Thomas Fitzsimons was a moving figure in every constructive act of this country prior to, during and after the American Revolution; and

Whereas, The Commonwealth of Pennsylvania through the General Assembly thereof deems that the services of Thomas Fitzsimons to our State and the United States were of such outstanding character as to make it desirable that he be commemorated for distinguished civic service by placing a statue of him either in bronze or marble in Statue Hall at Washington, or in such other location as may be determined by the Joint Committee on the Library of the United States Congress with the advice of the United States Commission of Fine Arts; therefore be it

Resolved (if the House of Representatives concur), That the Architect of the National Capital be requested to place a Statue of Thomas Fitzsimons in Statue Hall at Washington or in such other location as may be determined by the Joint Committee on the Library of the United States Congress with the advice of the United States Commission of Fine Arts.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 872.

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupation for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by providing for annual assessments abolishing triennial assessments providing for fixing of salaries of subordinate assessors limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made and making assessments applicable to taxation for institution district purposes and imposing duties on persons acquiring title to realty contractors and building inspectors

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 12, by inserting after the word "purposes" the words "and imposing duties on persons acquiring title to realty contractors and building inspectors".

Amend Section 7, page 5, line 15, by striking out after the word "of" the word "August" and inserting in lieu thereof the word "September".

Amend Section 7, page 6, line 9, by striking out after the word "of" the word "September" and inserting in lieu thereof the word "October".

Amend Section 8, page 7, line 9, by striking out after the word "of" the word "October" and inserting in lieu thereof the word "November"; line 14, by striking out after the word "of" the word "October" and inserting in lieu thereof the word "November"; line 18, by striking out after the word "of" the word "September" and inserting in lieu thereof the word "October".

Amend Section 8, page 8, line 8, by striking out after the word "of" the word "October" and inserting in lieu thereof the word "November"; line 15, by striking out after the word "of" the word "October" and inserting in lieu thereof the word "November".

Amend Section 8, page 9, line 1, by striking out after the word "of" the word "October" and inserting in lieu thereof the word "November"; line 5, by striking out the word "December" and inserting in lieu thereof the word "January".

Amend the bill by striking out all of pages 11 and 12 and lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 of page 13.

Amend the bill page 13, line 12, by striking out after the word "Section" the figure "6" and inserting in lieu thereof the figure "5"; line 19, by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figure "6".

Amend the bill, page 14, line 11, by striking out after the word "Section" the figure "8" and inserting in lieu thereof the figure "7".

On the question,

Will the House concur in the amendments made by the Senate?

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 872

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 872, Messrs. Flack, Robertson and Swope.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 695.

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-seven (P. L. 318) entitled "An act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation or such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws" by prescribing educational and experience qualifications necessary for right to take examination and regulating use of the word "certified" or any abbreviation thereof or its initial letter

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 3, line 13, by striking out after the word "and" the semi-colon enclosed in brackets "(:)"; line 15, by inserting after the word "(once)" the word "twice".

Amend Section 4, page 4, line 11, by striking out after the word "be" the words "permitted to sit for examination, except as provided in section eight nor shall" and inserting in lieu thereof the word "issued"; line 13, by striking out after the word "accountant" the words "be issued to any person".

Amend Section 4, page 5, line 9, by striking out the bracket before the word "Nothing"; line 11, by striking out after the word "herein" the bracket.

On the question,

Will the House concur in the amendments made by the Senate?

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 695

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 695, Messrs. Altshuler, Propert and Homer S. Brown.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGES

##### AMENDED SENATE BILLS RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

##### SENATE BILL No. 575.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the transfer of unneeded purchased supplies between departments boards and commissions and by making it a misdemeanor to refuse to obey a subpoena issued hereunder

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 2, line 12, by inserting after the word "commissions" the words "and by making it a misdemeanor to refuse to obey a subpoena issued hereunder."

Amend the bill, page 6, by inserting after line 5, the following:

"Section 2 Section five hundred twenty of said Act is hereby amended to read as follows

"Section 520 Every administrative department every independent administrative board and commission every departmental administrative board and commission every advisory board and commission and the several workmen's Compensation referees shall have the power to issue subpoenas requiring the attendance of witnesses and the production of books and papers pertinent to any hearing or investigation authorized by law before such department

board commission or officer and to examine such witnesses books and papers

"An witness who without legal justification therefor refuses to obey a subpoena issued hereunder or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear [May be punished for contempt of court and for this purpose an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed for which purpose such court is hereby given jurisdiction] shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred (\$500) dollars or to undergo an imprisonment not exceeding one (1) year or both in the discretion of the court

Amend the bill, page 7, line 16, by striking out after the word "section" the figure "2", and inserting in lieu thereof the figure "3".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

#### SENATE BILL No. 409.

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending service allowance of certain employes and requiring contributions by school boards and vocational school boards

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 5, by inserting after the word "employes" the words "and requiring contributions by school boards and vocational school boards."

Amend Section 1, page 3, line 11, by striking out the bracket after the word "were"; line 14, by inserting after the word "Mexican" the words "unitive expedition"; line 15, by inserting after the Roman numeral II the words "provided such contributor returned to public school service within one year after separation from military service".

Amend Section 1, page 4, line 1, by inserting after the word "school" the following: "every school board or vocational school board shall pay into the fund the contributions required to be paid by it and in addition the amount of contributions required to be paid by every contributor employed by it for each year or fraction thereof spent

in military service for which credit is acquired by such contributor under the provisions of this act".

Amend Section 1, page 5, line 6, by striking out the word "counted" within heavy brackets.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek.
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. M.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherrington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnar,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Pengilase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Deputy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON  
SENATE BILL No. 585

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 585, entitled:

An Act authorizing the Controller Treasurer and Receiver of Taxes in cities of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class and school districts of the first class under certain conditions.

And has appointed Messrs. Farrell, Kephart and Di-Silvestro a Committee of Conference to confer with a similar committee of the House of Representatives if the House of Representatives shall appoint such committee on the subject of the differences existing between the two Houses in relation to said bill.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 585

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House insist on its amendments nonconcurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on Senate Bill No. 585, Messrs. Charles C. Smith, Costa and Andrews.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 367

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 367, entitled:

An Act to further amend sections four three hundred one five hundred one five hundred two and six hundred one point one of and to amend section seven hundred two of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2896) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for modification of the manner in which employer contribution rates are determined and under certain conditions for the payment by employers of the costs of appeals

And has appointed Messrs. Lloyd Wood, Geltz and Dent a Committee of Conference to confer with a similar committee of the House of Representatives if the House of Representatives shall appoint such committee on the subject of the differences existing between the two Houses in relation to said bill.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 367

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House insist on its amendments nonconcurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on Senate Bill No. 367, Messrs. Helm, Kent and Evans.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGES

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1073.

An Act to amend subsection five of section seven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for determining the amount earnable by members of the General Assembly

With the information that the Senate discharged the Committee of Conference and receded from its amendments nonconcurred in by the House.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 872.

The Clerk of the Senate being introduced informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 872, entitled:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupation for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by providing for annual assessments abolishing triennial assessments providing for fixing of salaries of subordinate assessors limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made and making assessments applicable to taxa-

tion for institution district purposes and imposing duties on persons acquiring title to realty contractors and building inspectors

And has appointed Messrs. Watkins, Scarlett and Di-Silvestro and a Committee of Conference to confer with a similar committee of the House of Representatives, already appointed, on the subject of the differences existing between the two Houses in relation to said bill.

## RESOLUTION

### CONGRATULATIONS

Messrs. SOLLENBERGER and JOHN M. REILLY offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 28, 1949.

That legislation is for "big folks" may be true sometimes; but on Tuesday evening one fortunate little girl became very important, when she was singled out for recognition during the closing week ceremonies of the House of Representatives.

While gifts were being distributed, the page boys, not to be outdone, presented their token of affection and appreciation in the form of a huge "teddy bear" to Jerilyn Ann Helm, the charming two-year-old daughter of the Chairman of the Entertainment Committee of the House. The teddy bear has been named "Bobo" and has become the inseparable companion of little Miss Helm; therefore be it

Resolved, That the House of Representatives hereby congratulates its page boys on their fine gesture, and on their good taste in selecting so delightful and appreciative a favorite; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk to "Benny" Foltz, Chief Page of the House, who made the presentation, and to Jerilyn Ann Helm, to help her young mind to retain the recollection of the happy event.

## SENATE MESSAGE

### APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 286

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 286, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide money for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" eliminating certain obsolete provisions thereof clarifying certain definitions and terms changing the rights and obligations of employers and employees thereunder and requiring prothonotaries to enter certain liens without prepayment of costs

And has appointed Messrs. Lloyd Wood, Geltz and Dent a Committee of Conference to confer with a similar committee of the House of Representatives if the House of Representatives shall appoint such committee on the subject of the differences existing between the two Houses in relation to said bill.

### APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 286

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House insist on its amendments nonconcurring in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on Senate Bill No. 286, Messrs. Helm, Kent and Evans.

Ordered, That the Clerk inform the Senate accordingly.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### SENATE BILL No. 502.

An Act to amend sections one thousand seventy-three and one thousand seventy-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the term of office and the election of district superintendents and assistant district superintendents in all second and third class school districts of the Commonwealth

#### SENATE BILL No. 524.

An Act to amend section one thousand four hundred twenty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by setting forth the qualifications of school nurses

#### SENATE BILL No. 529.

An Act to further amend section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by au-

thorizing the county commissioners during the last fifteen days of any fiscal year to transfer and reappropriate any institution district funds to the General County Fund

#### SENATE BILL No. 532.

An Act to further amend the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by providing for the establishment of anthracite mine inspection districts the assignment of inspectors and their duties and operators' reports

#### SENATE BILL No. 535.

An Act to amend Rule fifty-four of Article twelve of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by providing for the posting of said act in pamphlet form at or near a mine or colliery

#### SENATE BILL No. 563.

An Act to further amend sections one thousand eight hundred four and one thousand eight hundred nine of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further regulating the adoption and alteration of budgets

#### SENATE BILL No. 564.

An Act to further amend sections three hundred sixty-one and three hundred seventy of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by imposing certain restrictions regarding preparations of proposed budgets

#### SENATE BILL No. 580.

An Act to further amend sections four and five of the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," by further regulating the administration and payment of such pensions in certain cases.

#### SENATE BILL No. 583.

An Act to amend clause XXVIII of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by increasing the amount which township supervisors may expend to care for abandoned or neglected cemeteries.

#### SENATE BILL No. 598.

An Act to amend subsection B of section one thousand five hundred and six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with

or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by adding thereto the provision that certain corporations created by merger or consolidation under the laws of any state of the United States other than Pennsylvania may act in a fiduciary capacity in this Commonwealth as successors in such capacity to any constituent corporation and to validate such actions heretofore performed by such corporations.

#### SENATE BILL No. 601.

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for retroactive service allowance of certain employes.

#### SENATE BILL No. 633.

An Act to amend section eight of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by requiring an operator to file a new bond with the Department of Mines at the end of an operational year covering such acres as he estimates will be affected during the coming year which are not included in a former bond and extending any unencumbered portion of a bond already filed with the department so as to include and cover new acres.

#### SENATE BILL No. 634.

An Act to amend rule forty of article twelve of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by eliminating the need for the presence of a footman and headman at certain slopes and shafts

#### SENATE BILL No. 637.

An Act to further amend the act, approved the seven-

teenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same.

#### SENATE BILL No. 638.

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same.

#### SENATE BILL No. 650.

An Act to add section thirty point one of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulated such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the computation of certificate and loss reserves with respect to noncancellable health and accident benefits.

#### SENATE BILL No. 651.

An Act to amend section five of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1643) entitled "An act relating to certain existing beneficial societies conferring certain rights powers and duties upon them their officers and members authorizing the payment of benefits by them in the event of sickness accident disability or death regulating such societies and corporations and limiting the amount for which they may issue membership certificates or policies providing for reserves imposing penalties and repealing certain existing laws and parts of law" by changing the reserve requirements for such societies with respect to certain non-cancellable health and accident insurance

#### SENATE BILL No. 747.

An Act to amend section three hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by directing that an allowance be paid to every county controller for the expenses pertaining to the institution district for a temporary period.

#### SENATE BILL No. 756.

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating certain exceptions to the prohibition against possessing in or on vehicles and conveyances loaded fire arms and loose ammunition.

#### SENATE BILL No. 767.

An Act to further amend rule twenty-five of article twenty-five of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting the use of certain instruments and devices for tamping purposes under certain conditions

#### SENATE BILL No. 782.

An Act to amend section seven hundred fifteen to add section seven hundred twenty-one point one to the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by further regulating liquidation of institutions as therein defined

## SENATE BILL No. 810.

An Act to further amend section six hundred nineteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulatnig the use of highways and the operation of vehicles tractors street cars trackless trolly omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operations thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making municipalities jointly liable for negligence of their employes driving animal-drawn vehicles

## SENATE BILL No. 830.

An Act to further amend clause two of section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by further providing for assessment of property for maintenance of lights on roads and highways.

## SENATE BILL No. 851.

An Act to add clause XLII to section seven hundred two of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the supervisors to appropriate money towards nonprofit ambulance services.

## SENATE BILL No. 866.

An Act to further amend section four hundred thirty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses

## SENATE BILL No. 867.

An Act to further amend clause thirty-four of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses

## SENATE BILL No. 868.

An Act to further amend section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing

cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-servicemen to aid in defraying the expenses of Memorial Day and Armistice Day" by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses

## SENATE BILL No. 875.

An Act to add section one thousand three hundred ten point one to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the conversion of certain personal property taken without escheat, and conferring jurisdiction on the Court of Common Pleas of Dauphin County.

## SENATE BILL No. 879.

An Act to amend the first paragraph and clauses (1) and (3) of subsection (b) of section two hundred one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for the erection of buildings for the administration of said act on land in or in the immediate vicinity of the City of Harrisburg presently owned by the Commonwealth and the conveyance or leasing of such land to persons firms or corporations for such purpose and for the leasing of such buildings to the Commonwealth the same to become the property of the Commonwealth upon termination of such lease

## SENATE BILL No. 883.

An Act to amend the title and act, approved the sixteenth day of July, one thousand nine hundred forty-one (P. L. 386), entitled "An act providing for the establishment, construction, operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains through, bordering or accessible to the counties of Monroe,

Northampton, Carbon, Luzerne, Lackawanna, Wayne and Pike, to be known as the 'Rim Parkway'; providing for the creation of the Pennsylvania Parkway Commission, and conferring powers, and imposing duties on said commission; authorizing the issuance of parkway revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such parkway; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the parkway; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such parkway shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission; conferring powers and imposing duties on the Department of Highways; authorizing the issuance of parkway revenue refunding bonds, and making an appropriation," by changing the name and extending the length of the parkway; establishing the parkway as a memorial; providing that the costs of making surveys, estimates of costs and plans for construction shall be paid from proceeds of bonds issued by the commission; and repealing the appropriation previously made.

#### SENATE BILL No. 885.

An Act for the government, management and control of county jails and prisons in counties of sixth, seventh, and eight classes.

#### SENATE BILL No. 890.

A Joint Resolution proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto Section twenty-two.

#### SENATE BILL No. 893.

An Act to amend subsection (a) of section one thousand five hundred eighteen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending revising, consolidating and changing the laws relating thereto," by changing provisions for text books on fire dangers and prevention of fire waste.

#### SENATE BILL No. 899.

An Act to amend subsection (b) of section one thousand one hundred three of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing

for refunds," by authorizing cities of the third class and boroughs to remove and impound vehicles.

#### SENATE BILL No. 902.

An Act to amend section two of the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employes and imposing penalties," by further providing for the collection of delinquent taxes in certain cases.

#### SENATE BILL No. 905.

An Act to amend section one of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, borough, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by exempting from taxation the volume of business derived from certain sales of trade-ins.

#### SENATE BILL No. 913.

An Act giving to cities, boroughs and townships, certain temporary powers, regarding rent control.

#### SENATE BILL No. 929.

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by changing requirements for accident reports.

#### SENATE BILL No. 930.

An Act to reenact and amend the title, and to reenact the act, approved the fifteenth day of May, one thousand

nine hundred thirty-three (P. L. 553), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles, and to make uniform the law with reference thereto; requiring operators and owners of automobiles, under certain circumstances, to furnish proof of financial responsibility, as herein defined; providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer, and prothonotaries; and prescribing penalties."

#### SENATE BILL No. 936.

An Act to amend sections, two, three, four, five, six, seven and eight of the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 368), entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite, from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents, and providing penalties," by defining substandard anthracite; requiring producers, dealers and persons engaged in the sale of anthracite to issue certain statements and keep certain records; and changing penalties.

#### SENATE BILL No. 944.

An Act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office

#### SENATE BILL No. 945.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the examination and clinical treatment of pupils by psychologists and psychiatrists

#### SENATE BILL No. 951.

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

#### SENATE BILL No. 957.

An Act to amend section nine hundred fifteen of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating thereto" by further providing for city expenditures for city business

#### SENATE BILL No. 960.

An Act authorizing the Department of Forests and Waters to accept on behalf of the Commonwealth certain real estate situate in Elk County subject to the reservations in the chain of title

#### SENATE BILL No. 967.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Mansfield State Teachers College to acquire a tract of land for the use of Mansfield State Teachers College and making an appropriation therefor

#### SENATE BILL No. 975.

An Act to facilitate vehicular traffic in the eastern section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near the City of Scranton in Lackawanna County to connect with the Pennsylvania Turnpike at such point near Harrisburg as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes and relocations and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

#### SENATE BILL No. 976.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers College to acquire a tract of land for the use of Indiana State Teachers College and making an appropriation therefor

#### SENATE BILL No. 977.

An Act to authorize any administrative department board commission agency or instrumentality of the Commonwealth and in its behalf with the approval of the Governor to sell assign or transfer any lands easements or rights in lands together with improvements and any contracts or agreements to any Authority created by the General Assembly of the Commonwealth to enter into contracts with such Authority and repealing certain Acts of Assembly

#### SENATE BILL No. 980.

An Act to amend sections six eight and nine of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by increasing the amount of the bond to be furnished by an operator and clarifying the provisions requiring a bond and further regulating the furnishing of bonds

#### SENATE BILL No. 985.

An Act to authorize political subdivisions to acquire by purchase condemnation or in any other manner pillars in anthracite and bituminous coal mines or other property

necessary to the support of the surface above such mines or structures thereon in order to prevent subsidence thereof

#### SENATE BILL No. 986.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of West Chester State Teachers College to acquire two tracts of land for the use of West Chester State Teachers College and making an appropriation therefor

#### DISCHARGE OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 200

Mr. BRUNNER. Mr. Speaker, I am directed to report that the Committee of Conference on the part of the House cannot agree on the differences between the House and the Senate on House Bill No. 200, Printer's No. 803 and move that the Committee be discharged.

The motion was agreed to.

On the question recurring.

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I move that the House insist upon its nonconcurrence in the amendments made and insisted upon by the Senate to House Bill No. 200.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGES

##### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 200.

An Act establishing a State Institution Employees' and Pennsylvania Liquor Control Board Officers' Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by employees of certain Pennsylvania State Institutions and officers of the Pennsylvania Liquor Control Board and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes making an appropriation and providing penalties

With the information that the Senate discharged its Committee of Conference and recedes from its amendments non-concurred in by the House.

#### AMEND SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

#### SENATE BILL No. 446.

An Act to amend sections one two three four and seven of the act approved the twenty-fifth day of June one thousand nine hundred and forty-seven (P. L.

1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" prohibiting the levy and collection of certain taxes providing for an over-all limit on revenues to be collected annually and for the use of excess moneys collected requiring reduction of tax rates in certain cases and affording remedies to compel such reduction imposing limits on rates of certain taxes regulating appeals from tax ordinances and resolutions providing for joint agreements for the collection of taxes regulating penalties and interest on taxes and requiring certified copies of effective tax ordinances and resolutions to be filed with the Department of Internal Affairs

#### SENATE BILL No. 488.

An Act to further amend sections fifteen and twenty-one of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by clarifying certain provisions; eliminating provisions for signatures of county controllers and facsimile signatures and requiring the payment to the prothonotary of additional fees under certain circumstances in certain counties and political subdivisions thereof

#### SENATE BILL No. 621.

An Act to amend the title and the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1433) entitled "An act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the State Council of Education and prescribing penalties" by transferring the administration of this act to the State Board of Private Correspondence Schools changing definitions bringing eleemosynary institutions within the provisions of the act eliminating the advisory committee regulating the advertising and soliciting for students by private correspondence schools where their home office is outside of this Commonwealth and providing for a separate non-transferable license for each school.

#### SENATE BILL No. 622.

An Act to amend the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1428) entitled "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties" by bringing certain non-profit and all eleemosynary institutions within the provisions of the

act regulating the advertising and soliciting for students including teachers within the definition of the term "agent" requiring agreement to file surety bond when requested restricting schools and agents to those subjects specified in their applications and providing for a separate non-transferrable license for each school.

#### SENATE BILL No. 623.

An Act to amend the title and the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 951) entitled "An act defining and providing for the licensing and regulation of private schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties" by transferring the administrative duties to the State Board of Private Academic Schools changing definitions bringing eleemosynary institutions within the provisions of this act eliminating the advisory committee regulating the advertising and soliciting for students and restricting agents in connection therewith requiring agreement of schools to file surety bond when requested and providing for a separate nontransferable license for each school.

#### SENATE BILL No. 624.

An Act to further amend section two hundred two and to add sections four hundred fifty-five four hundred fifty-six four hundred fifty-seven and four hundred fifty-eight to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by adding State Boards of Private Academic Private Business Private Trade and Private Correspondence Schools to the Department of Public Instruction as administrative departmental boards and to provide for the appointment of the members to said boards.

#### SENATE BILL No. 625.

An Act to amend the title and sections one two three four six seven and ten of the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties" by transferring the administration of this act to the State Board of Private Trade Schools bringing eleemosynary institutions within the provisions of the act eliminating the advisory committee regulating the advertising and soliciting for students by private trade schools changing provisions as to licenses and the holders thereof and increasing the fees for such licenses and providing for a separate non-transferable license for each school.

#### SENATE BILL No. 629.

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-

three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employee" and "Original member" to include persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania.

#### SENATE BILL No. 645.

An Act requiring companies and organizations subject to the provision of the act of June 11, 1947 (P. L. 538) or the act of June 11, 1947 (P. L. 551) or section 654 of the act of May 17, 1921 (P. L. 682) to maintain uniform classifications of accounts and records make uniform reports providing for appeals to the Court of Common Pleas of Dauphin County and prescribing penalties.

#### SENATE BILL No. 671.

An Act to amend section one hundred two, clause (a) of section three hundred six, clauses (b) and (d) of section three hundred seven, clauses (a) and (b) of section three hundred eight, clause (a) of section three hundred fourteen, clause (a) of section five hundred one, and sections six hundred one, seven hundred one and seven hundred three of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by authorizing counties to elect to become subject to said act; providing for the transfer of tax claims to the Tax Claim Bureau and for the determination of the validity of tax claims; changing dates for the return of property on which taxes are delinquent, for making up claims, for notice to delinquent taxpayers, for the period of redemption and for tax sales; providing when interest shall begin to run on returned taxes, and providing for the stay of tax sales by the court of common pleas.

#### SENATE BILL No. 700.

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture de-

fining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by transferring certain duties heretofore imposed under this act on the Department of Public Instruction to the State Board of Cosmetology

#### SENATE BILL No. 701.

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the State Board of Cosmetology as a departmental administrative board in the Department of Public Instruction and prescribing its powers and duties

#### SENATE BILL No. 702.

An Act providing for powers, responsibilities, duties and limitation of the Governor, Adjutant General, Department of Military Affairs, Pennsylvania State Armory Board, Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth; for the definition, organization, powers and limitations of the unorganized militia, Pennsylvania National Guard, Pennsylvania Guard, Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth.

#### SENATE BILL No. 716.

An Act creating a Highway Planning Commission to develop a long-range highway program for the Commonwealth and to make report thereon defining the powers and duties of the commission and making an appropriation out of the Motor License Fund.

#### SENATE BILL No. 725.

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eight day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon

the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interest and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots broadening exemption for hauling agricultural products or farm supplies and eliminating expired provisions.

#### SENATE BILL No. 729.

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eight day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interest and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or

over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation by towing of wrecked or disabled motor vehicles and eliminating expired provisions.

#### SENATE BILL No. 735.

An Act to amend the act approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

#### SENATE BILL No. 736.

An Act to amend the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15—1933-34) entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

#### SENATE BILL No. 795.

An Act authorizing the Department of Forests and Waters to acquire two tracts of land in Somerset and Bedford Counties to be used as a State Park under the jurisdiction of the Department of Forests and Waters

and devoted to hunting fishing and recreational purposes and making an appropriation.

#### SENATE BILL No. 860.

An Act to amend section three of the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1199) entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employees; fixing the salaries of members of the board, assessors and assistant assessors, and providing for the payment of salaries and expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making assessments, of the revision and notice of assessments and of appeals therefrom; prescribing the records of assessments; and repealing existing laws," by further prescribing the terms of the officers of the board of revision of taxes.

#### SENATE BILL No. 877.

An Act establishing the Pennsylvania State Firemen's Training School in or adjacent to the borough of Lewistown providing for its operation and maintenance by the Department of Public Instruction authorizing the acquisition of a site either by gift or purchase by the Commonwealth or by the General State Authority or the use of land now owned by the Commonwealth providing for the erection or construction and the furnishing and equipping of the buildings and structures by the General State Authority and the leasing thereof by the Commonwealth and conferring powers and imposing duties upon the Department of Public Instruction and the Public Service Institute Board.

#### SENATE BILL No. 894.

An Act to amend section seven hundred seventy-three of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by permitting tapping of water lines of school districts under certain circumstances.

#### SENATE BILL No. 939.

An Act making bonds of school districts valid and binding obligations of such districts despite failure to advertise election in a newspaper of general circulation.

#### SENATE BILL No. 956.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicle and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages

caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the uniformity control and erection of traffic signs signals and markings.

#### SENATE BILL No. 959.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by prohibiting soliciting or accepting gifts or donations from teachers or supervisors by school directors authorizing withholding of State appropriations clarifying the term "professional employe" changing provisions for minimum salaries of part-time teachers supervisors and principals and State reimbursement therefor and providing for part-time and evening vocational classes schools departments and programs attendance thereat in other districts and reimbursement therefor between school districts.

#### SENATE BILL No. 984.

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft and prescribing penalties.

#### SENATE BILL No. 987.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Cheyney Training School for Teachers to acquire a tract of land in Delaware County for the use of Cheyney Training School for Teachers and making an appropriation therefor.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### SENATE BILL No. 625.

An Act to amend the title and sections one two three four six seven and ten of the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties" by transferring the administration of this act to the State Board of Private Trade Schools bringing eleemosynary institutions within the provisions of the act eliminating the advisory committee regulating the advertising and soliciting for students by private trade schools changing provisions as to licenses and holders thereof and increasing the fees for such licenses and providing for a separate non-transferable license for each school.

#### SENATE BILL No. 629.

An Act to further amend the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting

annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe" and "Original member" to include persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania.

#### SENATE BILL No. 645.

An Act requiring companies and organizations subject to the provisions of the act of June 11, 1947 (P. L. 538) or the act of June 11, 1947 (P. L. 551) or section 654 of the act of May 17, 1921 (P. L. 682) to maintain uniform classifications of accounts and records make uniform reports providing for appeals to the Court of Common Pleas of Dauphin County and prescribing penalties.

#### SENATE BILL No. 671.

An Act to amend section one hundred two, clause (a) of section three hundred six, clauses (b) and (d) of section three hundred seven, clauses (a) and (b) of section three hundred eight, clause (a) of section three hundred fourteen, clause (a) of section five hundred one, and sections six hundred one, seven hundred one and seven hundred three of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and investiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by authorizing counties to elect to become subject to said act; providing for the transfer of tax claims to the Tax Claim Bureau and for the determination of the validity of tax claims; changing dates for the return of property on which taxes are delinquent, for making up claims, for notice to delinquent taxpayers, for the period of redemption and for tax sales; providing when interest shall begin to run on returned taxes, and providing for the stay of tax sales by the court of common pleas.

#### SENATE BILL No. 700.

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by transferring certain duties heretofore imposed under this act on the Department of Public Instruction to the State Board of Cosmetology.

## SENATE BILL No. 701.

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistant and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the State Board of Cosmetology as a departmental administrative board in the Department of Public Instruction and prescribing its powers and duties.

## SENATE BILL No. 702.

An Act providing for powers responsibilities duties and limitations of the Governor Adjutant General Department of Military Affairs Pennsylvania State Armory Board Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth for the definition organization powers and limitations of the unorganized militia Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth.

## SENATE BILL No. 716.

An Act creating a Highway Planning Commission to develop a long-range highway program for the Commonwealth and to make report thereon defining the powers and duties of the commission and making an appropriation out of the Motor License Fund.

## SENATE BILL No. 725.

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other

matters of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots broadening exemption for hauling agricultural products or farm supplies and eliminating expired provisions.

## SENATE BILL No. 729.

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary dates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations com-

panies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation by towing of wrecked or disabled motor vehicles and eliminating expired provisions.

#### SENATE BILL No. 735.

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

#### SENATE BILL No. 736.

An Act to amend the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

#### SENATE BILL No. 795.

An Act authorizing the Department of Forests and Waters to acquire two tracts of land in Somerset and Bedford Counties to be used as a State Park under the jurisdiction of the Department of Forests and Waters and devoted to hunting fishing and recreational purposes and making an appropriation

#### SENATE BILL No. 860.

An Act to amend section three of the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1199) entitled "An act relating to the assessment of real and personal property and other sub-

jects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employees; fixing the salaries of members of the board, assessors and assistant assessors, providing for the payment of salaries and expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making assessments, of the revision and notice of assessments and of appeals therefrom; prescribing the records of assessments; and repealing existing laws," by further prescribing the terms of the officers of the board of revision of taxes

#### SENATE BILL No. 877.

An Act establishing the Pennsylvania State Firemen's Training School in or adjacent to the borough of Lewis-town providing for its operation and maintenance by the Department of Public Instruction authorizing the acquisition of a site either by gift of purchase by the Commonwealth or by the General State Authority or the use of land now owned by the Commonwealth providing for the erection or construction and the furnishing and equipping of the buildings and structures by the General State Authority and the leasing thereof by the Commonwealth and conferring powers and imposing duties upon the Department of Public Instruction and the Public Service Institute Board

#### SENATE BILL No. 894.

An Act to amend section seven hundred seventy-three of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by permitting tapping of water lines of school districts under certain circumstances.

#### SENATE BILL No. 939.

An Act making bonds of school districts valid and binding obligations of such districts despite failure to advertise election in a newspaper of general circulation

#### SENATE BILL No. 956.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the uniformity control and erection of traffic signs signals and markings

## SENATE BILL No. 959.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by prohibiting soliciting or accepting gifts or donations from teachers or supervisors by school directors authorizing withholding of State appropriations clarifying the term "professional employe" changing provisions for minimum salaries of part-time teachers supervisors and principals and State reimbursement therefor and providing for part-time and evening vocational classes schools departments and programs attendance thereat in other districts and reimbursement therefor between school districts

## SENATE BILL No. 984.

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft and prescribing penalties

## SENATE BILL No. 987.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Cheyney Training School for Teachers to acquire a tract of land in Delaware County for the use of Cheyney Training School for Teachers and making an appropriation therefor

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON  
SENATE BILL No. 796

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 796, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," by fixing the compensation and mileage of county auditors in such counties.

And has appointed Messrs. Wade, McPherson and Ruth a committee of conference to confer with a similar committee of the House of Representatives if the House of Representatives shall appoint such committee on the subject of the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF COMMITTEE OF  
CONFERENCE ON SENATE BILL NO. 796

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House insist on its amendments nonconcurring in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on Senate Bill No. 796, Messrs. Flack, Kent and Cole.

Ordered, That the Clerk inform the Senate accordingly.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## SENATE BILL No. 446.

An Act to amend sections one, two, three, four and seven of the act approved the twenty-fifth day of June, one thousand nine hundred and forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," prohibiting the levy and collection of certain taxes; providing for an over-all limit on revenues to be collected annually and for the use of excess moneys collected; requiring reduction of tax rates in certain cases and affording remedies to compel such reduction; imposing limits on rates of certain taxes; regulating appeals from tax ordinances and resolutions; providing for joint agreements for the collection of taxes regulating penalties and interest on taxes and requiring certified copies of effective tax ordinances and resolutions to be filed with the Department of Internal Affairs.

## SENATE BILL No. 488.

An Act to further amend sections fifteen and twenty-one of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor for methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by clarifying certain provisions eliminating provisions for signatures of county controllers and facsimile signatures and requiring the payment to the prothonotary of additional fees under certain circumstances in certain counties and political subdivisions thereof

## SENATE BILL No. 621.

An Act to amend the title and the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1433) entitled "An act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the State Council of Education and prescribing penalties" by transferring the administration of this act to the State Board of Private Correspondence Schools changing definitions bringing eleemosynary institutions within the provisions of the act eliminating the advisory committee regulating the advertising and soliciting for students by private correspondence schools where their home office is outside of this Commonwealth and pro-

viding for a separate non-transferable license for each school

#### SENATE BILL No. 622.

An Act to amend the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1428) entitled "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties" by bringing certain non-profit and all eleemosynary institutions within the provisions of the act regulating the advertising and soliciting for students including teachers within the definition of the term "agent" requiring agreement to file surety bond when requested restricting schools and agents to those subjects specified in their applications and providing for a separate non-transferable license for each school

#### SENATE BILL No. 623.

An Act to amend the title and the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 951) entitled "An act defining and providing for the licensing and regulation of private schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties" by transferring the administrative duties to the State Board of Private Academic Schools changing definitions bringing eleemosynary institutions within the provisions of this act eliminating the advisory committee regulating the advertising and soliciting for students and restricting agents in connection therewith requiring agreement of schools to file surety bond when requested and providing for a separate nontransferable license for each school

#### SENATE BILL No. 624.

An Act to further amend section two hundred two and to add sections four hundred fifty-five four hundred fifty-six four hundred fifty-seven and four hundred fifty-eight to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by adding State Boards of Private Academic Private Business Private Trade and Private Correspondence Schools to the Department of Public Instruction as administrative departmental boards and to provide for the appointment of the members to said boards

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### RECESS

The SPEAKER. If there is no objection the Chair will declare a recess for ten minutes. The Chair hears none, and a recess is declared.

#### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

#### RESOLUTION

##### SYMPATHY

Messrs. FROST ZIEGLER, HEWITT, GOODLING, GREER and RAY L. RILEY offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 28, 1949.

Whereas, The members of the House of Representatives were sorry to learn of the illness of their colleague, the Honorable C. G. Krise of DuBois, Clearfield County; and

Whereas, He has been missed by all of the members of the House, they are mindful of the fact that Mr. Krise regrets not being on hand for the closing days of the session, a period of the legislative session which always delighted Mr. Krise because it was always filled with great interest and excitement and; therefore be it

Resolved, That the House of Representatives herewith expresses its wish that the Honorable C. G. Krise will have an immediate and complete recovery from his present illness; and be it further

Resolved, That the Chief Clerk is hereby directed to transmit a copy of this resolution to Mr. Krise as an expression of its feeling and as an aid to his recovery.

#### RESOLUTION

##### CONGRATULATIONS

Mr. GUTHRIE offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 28, 1949.

Last evening marked the all time high point in good fellowship among the Members of the House of Representatives.

The entertainment in the attractively appointed quarters of the Harrisburg Post No. 27 of the American Legion, immediately following as it did the impressive ceremonies in the Hall of the House, was the culmination of a legislative session of which we are proud.

Credit for the success of the event is due in large measure to the fine cooperation and generous contributions of Members of this House. of its Majority Leader and of others, who gave of their time and substance.

The splendid presentation of the program incident to final adjournment witnessed by the Members of the House resulted from the thoughtful preparation and able planning of the Select Committee to Conduct Ceremonies Incident to Final Adjournment.

Devoid of conduct unbecoming the General Assembly of a great Commonwealth, the sine die ceremonies held during the early evening were at once impressive and delightful in the sincerity of the eulogies bestowed upon the Speaker, Leaders, Whips and Officers of the House,

and the unexpected and well-deserved recognition of our hard working and very efficient Parliamentarian, the magnificent voice of Miss Hagerty, and the harmony of the House Quartette, and the barber shop sextette; therefore, be it

Resolved, That the House of Representatives hereby expresses its gratitude to its Majority Leader and Members and to all others who contributed towards making the evening of ceremony and entertainment an outstanding success; and be it further

Resolved, That the Members of the House extend their thanks for a job well done to the Honorable W. Stuart Helm, Chairman, and his fellow committee members: Messrs. Smith, Mintess, Fleming, Yeakel, Hall, Watkins, Flack, Leisey, Hewitt, Waterhouse, Stimmel, Toomey, Bloom, Dennison, Stank, Lovett, Bane, Swope, Scanlon, Heatherington, Neidenbach, and Duffy.

## RESOLUTION

### CONGRATULATIONS

Mr. ROYER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 28, 1949.

The kindness of the Harrisburg American Legion Post No. 27, and its Commander, Fred Kleckner, in offering the excellent facilities of the post home for the party enjoyed last night by the members and employes of the House, and their friends and the hospitable and efficient manner of the staff of the Post in catering to the guests was to a great degree, responsible for the good time enjoyed by all who attended.

The Majority Leader, the Honorable Charles H. Brunner, Jr. in contributing to the evening's entertainment also afforded no small measure to its success, therefore be it

Resolved, That the members of the House on behalf of themselves, the employes and their guests extend their sincere appreciation to the Harrisburg American Legion Post No. 27 and to its Commander Fred Kleckner, for allowing them the use of the post facilities and for their hospitality and excellent service and their thanks to the Honorable Charles H. Brunner, Jr. for his contribution to the entertainment of the evening, and be it further

Resolved, That the Chief Clerk of the House be directed to forward a copy of this resolution as a token of our appreciation to Fred Kleckner, Commander, Harrisburg American Legion Post No. 27 and to the Honorable Charles H. Brunner, Jr.

## PERMISSION TO ADDRESS HOUSE

Mr. HEWITT asked and obtained unanimous consent to address the House.

Mr. Speaker, for several terms in which I have served here as a member from Indiana County, I have made it a practice to make one speech at least during the session. This session I have not been on my feet to make that biennial address. The reason for my delay is that I usually want to make my speech when my people are down here from Indiana in the gallery, so that they will see what a prominent Member I am, taking care of their interests down here. But inasmuch as they have not been down here this session, they must be perfectly satisfied that I am doing a good job.

My idea in making this speech while my constituents were here, was, of course, to let them know how well I was getting along. When a man comes to the Legis-

lature he usually has an ambition, I have several. I had one burning desire after I got located in the House, to obtain a certain seat in the House. I sat in seat 136 in my first session, and by careful maneuvering of seniority rights, I got shifted around toward the front, and I finally landed in seat No. 56. I only have one more seat to get to realize my burning ambition. When I observed that Dr. Serrill who occupied seat No. 55 did not choose to run, I felt that here was my chance to get to seat No. 55. I was in the campaign at that time and I doubled my efforts and drove around the county and worked hard. I was nominated by the enormous majority of 30 votes.

During the years since this building has been erected there have been many groups here who were given affectionate names. For instance, I recall in 1903 and 1905, when this building was being erected and Pennypacker was Governor, they had a group known as Pennypacker's Prowlers. This building was going up at that time and they crawled up through the rafters and platforms to see what they could find out about Pennypacker and tell how well they thought he was doing his job. They were known as Pennypacker's Prowlers. So you can see where I got my start.

Later when John Fisher was Governor, we had Fisher's Filibusters. Later on we had the Farm Belt and Farm Bloc, Bible Bloc and Blockheads. I belonged to the latter group, and finally when this session opened, they organized what was known as the Brain Trust. Of course you all know that we started out with the Brain Trust, by first electing the gentleman from Montgomery, Mr. Brunner, as our Floor Leader; the gentleman from Philadelphia, Mr. Smith, as the Majority Whip, and when they found out they had been selected by us they got a little panicky, and had to get the support of the organization which I mentioned before, the Brain Trust.

They discovered a young fellow in the back row, a lawyer from Carbon, Mr. Scott, and he proceeded to occupy the seat of Dr. Serrill, seat No. 55. They moved me into the seat of Mr. Fiss, but lo and behold, the gentleman from Snyder, Mr. Fiss, who occupied seat No. 57, did not run the last time and I had a chance to move myself back into Mr. Fiss' seat.

My friends back home cannot understand why they moved me over there, but you will well remember in the 1947 session I sat directly in back of the gentleman from Elk, Mr. Sorg. The gentleman from Cambria, Mr. Andrews, turned quickly to me and asked me, "What is the next move to make?" Well, you promoted the Floor Leader to the Speaker of the House, and so, my friends tell me I did a good job. The question is, am I or am I not a member of the Brain Trust. Some people say I am and some people say I am not, but if I am a member, how far does it extend? Does it extend back to the seat occupied by the gentleman from Lancaster, Mr. Royer, or the seat occupied by the gentleman from Jefferson, Mr. Dennison?

The SPEAKER. The chair is of the opinion that the Brain Trust of this House extends from seat No. 1 to seat No. 208 inclusive.

Mr. HEWITT. Mr. Speaker, sitting to the left of the gentleman from Montgomery, Mr. Brunner, you will notice a very likeable gentleman from Butler, Mr. Greer, and a clever young attorney from Crawford, Mr. Kent, whose father was a Judge of Crawford County for two

terms, and we all know what Mr. Andrews told us a few weeks ago about judges. They made an effort to put a lawyer in the seat of the gentleman from Armstrong, Mr. Helm, but the oil interests got busy and they got hold of the Big Chief, Joe Pew, and he said "Son-no-go" (Sunoco), and Son stay.

### SENATE MESSAGE

#### SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 105

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

#### SENATE BILL No. 105.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing and fixing the salaries of certain officers of the Commonwealth

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 105

Mr. BRUNNER. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 105.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 105, entitled: "An act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; \* \* \*,' by changing the salaries of certain officers of the Commonwealth."

Respectfully submit the following bill as our report:

A. EVANS KEPHART,  
CHARLES R. MALLERY,  
MAXWELL S. ROSENFELD,  
(Committee on the Part of the Senate)

CHARLES H. BRUNNER, JR.,  
CHARLES C. SMITH,  
ALBERT S. READINGER,  
(Committee on the Part of the House of Representatives.)

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commission shall be determined" by changing and fixing the salaries of certain officers of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 94) is hereby further amended to read as follows

Section 205 Pennsylvania State Police The Pennsylvania State Police shall consist of a Commissioner a Deputy Commissioner the State police force and the State Highway Patrol as now authorized by law which are hereby consolidated into one force to be known as the State Police Force and such chiefs statisticians clerks experts and other assistants as the commissioner with the approval of the Governor shall deem necessary for the work of the force

The Commissioner of the Pennsylvania State Police shall receive a salary at the rate of [eight] fifteen thousand dollars per annum

The Deputy Commissioner of the Pennsylvania State Police shall be appointed by the Commissioner of Pennsylvania State Police with the approval of the Governor and shall receive a salary at the rate of [seven] eight thousand five hundred dollars per annum

The State Police Force shall consist of such number of officers and men and shall be organized in such manner as the Commissioner of Pennsylvania State Police with the approval of the Governor shall from time to time determine Provided however That the number of officers and men shall not exceed in the aggregate at any time one thousand six hundred persons

The members of the State Police Force and the chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be appointed by the commissioner and shall receive such compensation as shall be fixed by the commissioner with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board

Section 2 Section two hundred nine of said act as last amended by the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 101) is hereby further amended to read as follows

Section 209 Compensation of the Governor Lieutenant Governor and the Heads of Departments Annual salaries shall be payable in equal semi-monthly installments as follows

To the Governor [eighteen] twenty-five thousand dollars  
To the Lieutenant Governor [eight] fifteen thousand dollars

To the Secretary of the Commonwealth [ten] fifteen thousand dollars

To the Attorney General [twelve] fifteen thousand dollars

To the Auditor General [twelve] fifteen thousand dollars

To the State Treasurer [twelve] fifteen thousand dollars

To the Secretary of Internal Affairs [ten] fifteen thousand dollars

To the Superintendent of Public Instruction [twelve] fifteen thousand dollars

To the Adjutant General [ten] fifteen thousand dollars

To the Insurance Commissioner [ten] fifteen thousand dollars

To the Secretary of Banking [ten] fifteen thousand dollars

To the Secretary of Agriculture [ten] fifteen thousand dollars

To the Secretary of Forests and Waters [ten] fifteen thousand dollars

To the Secretary of Mines [ten] fifteen thousand dollars

To the Secretary of Highways [twelve] fifteen thousand dollars

To the Secretary of Health [ten] fifteen thousand dollars

To the Secretary of Labor and Industry [ten] fifteen thousand dollars

To the Secretary of Welfare [ten] fifteen thousand dollars

To the Secretary of Property and Supplies [ten] fifteen thousand dollars

To the Secretary of Revenue [twelve] fifteen thousand dollars

To the Secretary of Public Assistance [ten] fifteen thousand dollars

To the Secretary of Commerce [ten] fifteen thousand dollars

Neither the Governor Lieutenant Governor nor the head of any administrative department shall receive any additional compensation for any services rendered to the Commonwealth in any capacity

Section 3 Subsection (a) of section two hundred ten of said act as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 945) is hereby further amended to read as follows

Section 210 Compensation of Members of Administrative Boards and Commissions (a) Annual salaries shall be payable in equal semimonthly installments as follows

[To the Commissioner of Fisheries six thousand seven hundred fifty dollars]

To the chairman of the Pennsylvania Public Utility

Commission [ten thousand five hundred] fifteen thousand

dollars as provided by law

To the members of the Pennsylvania Public Utility Commission other than the chairman each [ten] fourteen thousand dollars as provided by law

To the chairman of the Pennsylvania Labor Relations Board nine thousand dollars as provided by law

To the members of the Pennsylvania Labor Relations Board each eight thousand five hundred dollars as provided by law

To the chairman of the Milk Control Commission ten thousand five hundred dollars as provided by law

To the members of the Milk Control Commission each ten thousand dollars as provided by law

To the chairman of the Pennsylvania Liquor Control Board fifteen thousand dollars

To the members of the Pennsylvania Liquor Control Board other than the chairman each fourteen thousand dollars

Section 4 Section four hundred twenty-seven of said act as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1354) is hereby further amended to read as follows

Section 427 State Athletic Commission The State Athletic Commission shall consist of three members who shall be appointed for terms of two years and the Secretary of Revenue ex officio

Each member of the Commission except the Secretary of Revenue and the chairman shall receive a salary of [five thousand five hundred] seven thousand dollars per annum and the chairman shall receive a salary of seven thousand five hundred dollars per annum

Two members of the Commission shall constitute a quorum and the concurrence of at least two members of the Commission shall be necessary to render valid any action by the Commission

The Commission may appoint such number of deputies as shall be approved by the executive board whose compensation shall be fixed by the Commission with the approval of the Governor

The Commission may with the approval of the Secretary of Revenue appoint a secretary who shall receive a salary to be fixed by the Commission with the approval of the Governor

Section 5 Section four hundred twenty-nine of said act is hereby amended to read as follows

Section 429 Pennsylvania Securities Commission The Pennsylvania Securities Commission shall consist of three members and the Secretary of Banking ex officio

Two members of the Commission shall constitute a quorum and no action of the Commission shall be valid unless it shall have the concurrence of at least two members A vacancy on the commission shall not impair the right of a quorum to exercise all the powers and perform all the duties of the Commission

The Governor shall designate one of the members of the commission as the chairman thereof and the Secretary of Banking with the approval of the Governor shall appoint a secretary who shall receive such salary as the Secretary of Banking with the approval of the Governor shall determine

The chairman of the Commission shall receive a salary at the rate of [seven thousand five hundred] eight thousand five hundred dollars per annum the other members of the Commission except the Secretary of Banking shall receive salaries at the rate of [seven thousand] eight thousand dollars per annum

Section 6 Sections four hundred forty-one and four hundred forty-two of said act are hereby amended to read as follows

Section 441 Workmen's Compensation Board The Workmen's Compensation Board shall consist of three members of whom the Governor shall designate one as chairman the Secretary of Labor and Industry shall be ex officio a member of the board two members of the board shall be a quorum and no action of the board shall be valid unless it shall have the concurrence of at least two members A vacancy on the board shall not impair

the right of a quorum to exercise all the rights and perform all the duties of the board

The Secretary of Labor and Industry with the approval of the Governor shall appoint a secretary to the Workmen's Compensation Board who shall receive such salary as the Secretary of Labor and Industry with the approval of the Governor shall determine

The chairman of the Workmen's Compensation Board shall receive a salary at the rate of [nine thousand] eleven thousand five hundred dollars per annum the other members of the board except the Secretary of Labor and Industry shall receive salaries at the rate of [eight thousand five hundred] eleven thousand dollars per annum

Section 442 Workmen's Compensation Referees There shall be in the Department of Labor and Industry as many Workmen's Compensation Referees as in the judgment of the Governor and of the Secretary of Labor and Industry shall be necessary properly to administer the workmen's compensation laws of the Commonwealth Such referees shall be subject to the direction and control of the Workmen's Compensation Board The board shall assign them to the various workmen's compensation districts and shall prescribe from time to time the duties to be performed by them

Each Workmen's Compensation Referee shall receive a salary at the rate of [five thousand] seven thousand five hundred dollars per annum

Section 7 Article four of said act is hereby amended by adding immediately after section four hundred forty-two a new section to read as follows

Section 442.1 Unemployment Compensation Board of Review The Chairman of the Unemployment Compensation Board of Review shall receive a salary at the rate of eleven thousand five hundred dollars per annum The other members of the board shall receive salaries at the rate of eleven thousand dollars pr annum

Section 8 Repealer All acts or parts of acts inconsistent herewith are hereby repealed

Section 9 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—175

Altshuler,	Floyd,	Loftus,	Robertson,
Amarando,	Fox,	Lovett,	Rose,
Andrews,	Frank,	Madigan,	Rosen,
Bane,	Frost,	McCormack,	Royer,
Barkdoll,	Gallagher,	McCullough,	Sarraf,
Baumunk,	George,	McKinney,	Sax,
Bednarek,	Gibson,	McMillen,	Scanlon,
Blair,	Goodling,	McNally,	Schmidt,
Bloom,	Graybill,	Mihm,	Schuster,
Boles,	Green,	Mikula,	Scott,
Bomberger,	Greenwood,	Miller,	Shoemaker,
Boorse,	Greer,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Snider,
Brandon,	Hall,	Mintess,	Sollenberger,
Breisch,	Harney,	Moore, C. E.,	Spencer,
Breth,	Heatherington,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Moran,	Stimmel,
Brown, H. S.,	Helm,	Munley,	Stuart,
Brown, Wm. E.,	Herman,	Murray,	Swope,
Brunner,	Hersch,	Musto,	Tahl,
Cadwalader,	Hewitt,	Najaka,	Taylor,
Clapper,	Hocker,	Needham,	Thompson,
Clelanding,	Hoffman,	Neff,	Tompkins,
Cochran,	Hoggard,	Nixon,	Tromey,
Coleman,	Hunter,	O'Dare,	Varnier,
Conway,	Jenkins,	O'Donnell,	Verona,
Cooper,	Jennings,	Olsen,	Wachhaus,
Costa,	Johnson,	Orban,	Wagner,
Dairymple,	Jones, G. E.,	Pentrack,	Waterhouse,
DeLong,	Jump,	Petrosky,	Watkins,
Dennison,	Kamyk,	Pettigrew,	Weidner,
Depuy,	Keller,	Polen,	Weiss,

Driscoll,  
Duffy,  
Dye,  
Elder,  
Erb,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,

Kemp,  
Kent,  
Kline,  
Kohl,  
Kolankiewicz,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Leisey,  
Leonard,  
Limper,

Posta,  
Powers,  
Price, H. W. Jr.,  
Propert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,

Wescott,  
Wheeler,  
Williams,  
Wood,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

#### NAYS—32

Beaver,  
Bucchin,  
Cole,  
Dougherty,  
Evans,  
Gaffney,  
Glembocki,  
Good,

Guarnieri,  
Hagerty,  
Hamilton,  
Harris,  
Jim,  
Jones, J. M.,  
Kirley,  
Kondrath,

McGee,  
Monroe,  
Nagel,  
Penglase,  
Peta,  
Pfaff,  
Price, R. A.,  
Rovasek,

Seyler,  
Smith, W. B.,  
Sternberg,  
Varallo,  
Wargo,  
Welsh,  
Westrick,  
Worley,

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

#### DISCHARGE OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 695

Mr. ALTSHULER. Mr. Speaker, I am directed to report that the Committee of Conference on the part of the House cannot agree on the differences existing between the House and the Senate on House Bill No. 695, Printer's No. 824, and move that the Committee be discharged.

The motion was agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. ALTSHULER. Mr. Speaker. I move that House Bill No. 695, Printer's No. 824, be laid upon the table.

The motion was agreed to.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 394

Mr. WOOD. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 394.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of Senate and House of Representatives for the purpose of considering House Bill No. 394, entitled: "An act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled 'An act concerning townships of the second class and amending, revising, consolidating and changing the law relating thereto,' changing the compensation of supervisors and auditors; increasing compensation for attending conventions of county associations; changing permissible payments secretaries of county associations and payments of dues by townships to state associations and the expense allowance of delegates; providing for appointment of policemen; authorizing police pension annuities to widen, deepen and embank watercourses, to employ township managers and certified public accountants, to regulate the election of supervisors in certain cases; providing for the levy of taxes for fire protection services; changing the definition of volunteer firemen for workmen's com-

compensation insurance purposes, the method of advertising for bids, the limitation on taxes for fire hydrant purposes, the requirements for street and road improvements and the vote of supervisors required for zoning changes; and clarifying and revising certain provisions of said act,"

Respectfully submit the following bill as our report:

R. B. MAHANY,  
JOHN G. SNOWDEN,  
BURTON E. TARR,  
(Committee on the part of the Senate.)

NORMAN WOOD,  
JAMES N. ROBERTSON,  
J. HIRAM SWOPE,

(Committee on the Part of the House of Representatives.)

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" changing the compensation of supervisors and auditors increasing compensation for attending conventions of county associations changing permissible payments to secretaries of county associations and payment of dues by townships to state associations and the expense allowance of delegates providing for appointment of policemen authorizing police pension annuities to widen deepen and embank water-courses to employ township managers and certified public accountants to regulate the election of supervisors in certain cases providing for the levy of taxes for fire protection services changing the definition of volunteer firemen for workmen's compensation insurance purposes the method of advertising for bids the limitation on taxes for fire hydrant purposes the requirements for street and road improvements and the vote of supervisors required for zoning changes and clarifying and revising certain provisions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 303 420 and 511 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby further amended to read as follows

Section 303 Petition to Court Commissioners Report Upon application by petition the court shall appoint three impartial citizens as commissioners one of whom shall be a registered surveyor or engineer to inquire into the prayer of the petition After having given notice to parties interested as directed by the court the commissioners shall hold a hearing and view the lines or boundaries and they or any two of them shall make a plot or draft of the lines and boundaries proposed to be altered or ascertained and established if the same cannot be fully designated by natural lines or boundaries The commissioners or any two of them shall make report to the court together with their opinion of the same Upon the filing of any such report the same shall be confirmed nisi and the court may by its order require such notice to be given by the petitioners to the parties interested as it deems proper

Section 420 Supervisors If the electors of any township shall fail to choose a supervisor or if any persons elected to such office shall neglect or refuse to serve therein or if a vacancy shall occur in the office by death resignation removal from the township or otherwise the two remaining supervisors may appoint a successor to hold the office until the first Monday of January succeeding the first municipal election occurring at least sixty days after the office became vacant at which election a supervisor shall be elected for the unexpired term when a vacancy is so filled the supervisors shall within fifteen days thereafter certify such appointment to the clerk of the court of quarter sessions

If the two remaining supervisors in the event of a vacancy as aforesaid shall be unable to agree on such appointment for a period of thirty days after such vacancy occurs the court of quarter sessions shall upon the presentation of a petition signed by a supervisor and by not less than five registered electors appoint a person to hold such office for the unexpired term

Section 511 Organization Meeting Appointment of Secretary and Treasurer The supervisors of each township shall meet at a convenient time and place on the first Monday in January of each year [The] At such times the township supervisors shall organize as a board by electing one of their number as chairman The board shall appoint a treasurer and a secretary who shall be the same person and who may or may not be a member of the board except where the board selects a trust company or a banking institution to act as treasurer in which case it shall elect an individual as secretary

Section 2 Section 515 of said act as so reenacted and amended and as amended by the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 75) is hereby further amended to read as follows

Section 515 Compensation of Supervisors Supervisors shall receive from the general township fund as compensation not less than four dollars [(\$4)] nor more than six dollars [(\$6)] for each meeting which they attend The amount of the compensation for attending meetings shall also allow to the supervisors reasonable compensation for making a semi-annual inspection of the roads and bridges The compensation of supervisors when acting as superintendents roadmasters or laborers shall be fixed by the township auditors either per hour per day per week semi-monthly or monthly which compensation shall not exceed compensation paid in the locality for similar services and such other reasonable compensation for the use of vehicular equipment when required and actually used as the auditors shall determine and approve but no supervisor shall receive compensation as a superintendent or roadmaster for any day he receives compensation for attending a meeting of supervisors unless such meeting is held during the nighttime

Section 3 Sections 520 and 532 of said act as so reenacted and amended are hereby further amended to read as follows

Section 520 Interest in Contracts and Purchases Penalty [Any] Except as otherwise provided in section 802 of this act any township supervisor superintendent or roadmaster who is knowingly interested directly or indirectly in any purchase made or contract relating to roads and bridges [except as provided for in this act] or for a compensation furnishes any materials therefor is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or undergo imprisonment not exceeding six months or both and shall forfeit his office.

Section 532 Duties The township treasurer shall receive all moneys due the township and deposit the same promptly upon receipt thereof in a bank institution or trust company in the name of the township he shall keep distinct and accurate accounts of all sums received from taxes and other sources which account shall be open to the inspection of the supervisors and taxpayers of the township he shall pay out all moneys received by him only on orders drawn by the supervisors of the township [all orders shall be on blanks prepared and furnished by the Department of Highways] he shall annually state his accounts and lay the same together with the vouchers before the township auditors for settlement

Section 4 Subsection a of section 590 and section 595 of said act as so reenacted and amended are hereby further amended to read as follows

Section 590 Petition for Appointment of Police Contracts for Police Services A Upon the petition of not less than twenty-five registered electors or taxpayers of any township or of two or more adjacent townships representing that the safety of the citizens and the security

of property [makes] make it necessary for the appointment of one or more policemen the supervisors of such township or townships shall consider said petition and if satisfied of the reasonableness and propriety of said application shall appoint one or more registered electors who shall be residents of the Commonwealth [of which the said township or townships are a part] to act as policemen and to serve at the will of said supervisors

The supervisors of such township or townships shall fix the number of policemen the compensation of such policemen and shall limit the term of service of said policemen as it may deem proper Where such policemen are appointed for two or more townships the supervisors of such townships shall fix the amount of compensation which shall be paid by each of such townships Such compensation shall be paid from the general township fund

Section 595 Police Pension Fund Where a police force is being maintained the township shall by ordinance establish a police pension fund or pension annuity into which each member of the police force shall pay an equal and proportionate monthly charge not exceeding annually three per centum of the pay of such member The fund shall be under the direction of the supervisors or such committee as they may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service Any allowance made to those who are retired by reason of disability or age shall be in conformity with a uniform scale

Section 5 Article V of said act as so reenacted and amended is hereby amended by adding at the end thereof a new subdivision and section to read as follows

(k) Township Manager

Section 599.1 Appointment Removal Powers and Duties Compensation Bond The supervisors may by ordinance at any time create the office of township manager and may in like manner abolish the same While said office exists the supervisors shall from time to time and whenever there is a vacancy by majority vote elect one person to fill said office who shall serve until his successor is elected and qualified Any such township manager shall be subject to removal by the supervisors by majority vote

The powers and duties and the compensation of the township manager shall be fixed by ordinance The compensation shall be paid out of the general fund of the township The supervisors may delegate subject to recall any of their non-legislative powers and duties to the township manager He shall give bond to the township with sufficient surety to be approved by the supervisors in such sum as they shall by ordinance direct conditioned for the faithful performance of his duties

The office of township manager shall not be deemed incompatible with the office of township secretary township treasurer or any other township office or employment except that of supervisor

Section 6 Sections 602 603 610 and 612 of said act as so reenacted and amended are hereby further amended to read as follows

Section 602 Who to attend compensation and mileage The supervisors of townships auditors assessors tax collectors and the secretary of the board of township supervisors when not a member of the board shall attend such conventions whenever possible each township supervisor auditor assessor tax collector and secretary attending such convention shall receive a certificate signed by the presiding officer and acting secretary of the convention attesting his presence at the convention such certificate shall entitle him to collect from the township treasurer the sum of [five] six dollars per day for each day's attendance and mileage at the rate of four cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held no township supervisor auditor assessor tax collector or secretary shall be paid for more than one day's attendance in any one year

Section 603 Officers Of County Association The officers of the association shall consist of a president two vice-presidents a secretary and a treasurer none of whom shall be interested directly or indirectly in the promotion or sale of road material and equipment and all of whom except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen if desirable the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding [fifteen] twenty-five dollars per annum as the other officers may determine every township supervisor assessor tax collector and auditor attending such convention may vote in the election of officers

Section 610 State Association Authorized The formation of a State association of township supervisors is hereby authorized the association shall hold annual meetings at such time and place within the Commonwealth as it may designate for the purpose of discussing various questions and subjects pertaining to the duties of township supervisors and for the purpose of devising uniform economical and efficient methods of administering the affairs of townships all dues assessed by the association which shall not exceed [fifteen] twenty dollars per year per township shall be paid by the member townships from their general township funds

Section 612 Expenses and Mileage The expenses of the delegates attending the annual meeting shall not exceed [six] ten dollars per day for each delegate for not more than three days together with the actual mileage at the prevailing rate of railroad fare and shall be paid by the respective county associations

Section 7 Clause III of section 702 of said act as so reenacted and amended and as amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 858) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors In addition to the duties imposed upon them by section 516 hereof they shall have power

\* \* \* \* \*

III Contracts and Tax Levy For Fire Purposes On the petition of the surface property owners of a majority of the lineal feet frontage along any highways streets roads and alleys or portion thereof in any village within the township to enter into contract with water companies for the placing of fire hydrants to water mains maintaining pressures approved by the fire insurance underwriters along said highways streets roads and alleys or to provide for or acquire a water supply system equipped to supply sufficient water for the protection of property from fire

The moneys necessary for acquiring any such water system may be obtained by proceeding in accordance with either of the methods set forth in paragraphs A and B as follows

A The supervisors shall levy for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera an annual tax upon the property abutting upon said highways streets roads and alleys and upon property within [five] six hundred feet of any fire hydrant in the district benefited thereby based upon the assessment for county purposes no such tax shall be levied against any farm land or land used as an aviation field or against other property in the district not benefited thereby such tax shall be collected in the same manner as other taxes the collector shall receive the same commission as on the township tax the township treasurer shall receive all such taxes collected for fire protection and keep the same in a separate account and pay the same out only upon orders signed by the chairman of the board of supervisors attested by the secretary the treasurer shall make a report to the auditors of the township annually

B The township supervisors shall annually assess or cause to be assessed the cost and expense for the acquisition of a water system for the maintenance of such fire

hydrants and for the purchase of hose et cetera by an equal assessment on all property abutting upon said highway streets roads and alleys within [five] six hundred [(500)] feet of any fire hydrant in the district benefited thereby in proportion to the number of feet the said property fronts on any street highway road or alley upon which a water main is laid or within [five] six hundred [(500)] feet of any fire hydrant on such street highway road or alley the supervisors may provide for an equitable reduction from the frontage of lots it intersects or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable no such assessment shall be made against any farm land but vacant lots between built-up sections either tilled or untilled shall not be deemed to be farm lands all such assessments for fire protection shall be filed with the township tax collector who shall give thirty (30) days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address the tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax if the assessments or any of them remain unpaid at the expiration of not exceeding ninety (90) days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection the solicitor shall collect the same together with five percent as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected where an owner has two or more lots against which there is an assessment for the same year all such lots may be embraced in one claim all assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay the same only upon orders signed by the chairman of the township supervisors attested by the secretary the tax collector and the treasurer shall make a report to the auditors of the township annually

Section 8 Clause XIII of said section 702 as so reenacted and amended is hereby further amended to read as follows

\* \* \* \* \*

XIII Insurance To expend out of the general township fund such amount as may be necessary to secure workmen's compensation insurance for its employees including volunteer firemen of companies duly recognized by the township by motion or resolution killed or injured while going to returning from or attending fires in said township or territory adjacent thereto or while performing any other duties authorized by the township to make contracts of insurance with any fire insurance company duly authorized by law to transact business in the Commonwealth of Pennsylvania on any building or property owned by such township to make contracts with any insurance company so authorized insuring any public liability of the township and to make contracts of insurance with any insurance company or nonprofit hospitalization corporation or nonprofit medical service corporation authorized to transact business within the Commonwealth insuring its employees or any class or classes thereof under a policy or policies of group insurance covering life health hospitalization medical service or accident insurance and may contract with any such company granting annuities or pensions for the pensioning of such employees and for such purposes may agree to pay part or all of the premiums or charges for carrying such contracts and may appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof The supervisors are hereby authorized enabled and permitted to deduct from the employee's pay salary or compensation such part of the premium or charge as is payable by the employee and as may be so authorized by the employee in writing

\* \* \* \* \*

Section 9 Clause XXVI of said section 702 as added thereto by the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 118) and clause XXVI of said section as added thereto by the act approved the second day of June one thousand nine hundred forty-seven (P. L. 391) are hereby renumbered to read as follows

[XXVI] XLII Airports To acquire by lease or purchase or by exercising the power of eminent domain in the manner provided in article ten of this act any land lying either within or without the limits of the township which in the judgment of the corporate authorities thereof may be necessary and desirable for the purpose of establishing and maintaining municipal airdromes aviation landing fields and airport facilities The title acquired by the township exercising the power of condemnation shall be a title in fee simple Any township having acquired land for such purposes may establish equip condition operate and maintain the same as a municipal airport airdrome landing field or intermediate landing field and may lease the same or any part thereof to any individual or corporation desiring to use the same for aviation purposes and may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for the use by said Government of said land for aviation purposes upon nominal rental or without consideration

Any township may acquire by lease or purchase land for aviation purposes as hereinbefore provided jointly with any county city borough township or political subdivision or municipality authority of this Commonwealth and is hereby authorized and empowered to operate and maintain said airport airdrome landing field or intermediate landing field jointly with any county city borough township or other political subdivision or municipality authority of this Commonwealth upon such terms and conditions as may be agreed upon between the proper authorities of the county city borough township or other political subdivision of this Commonwealth

[XXVI] XLIII Police Protection Districts Assessments To provide police protection and promote the public safety health convenience and welfare of its citizens the board of township supervisors is hereby empowered with the approval of the township auditors on petition of a majority of the property owners of any territory within the township to designate definitely define set apart and limit any part of such territory as a district for the purpose of providing such districts adequate police protection Such police protection may be furnished jointly with one or more other townships or boroughs under an agreement with such townships and boroughs The township supervisors shall annually assess or cause to be assessed the cost and expense of the maintenance of said police protection by an equal assessment on all property benefited by such protection in proportion to the number of feet the same fronts on the street or highway or portion thereof to be protected The supervisors may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five per centum (25%) of the assessment per foot front against property with improvements thereon All such assessments for police protection shall be filed with the township tax collector who shall give thirty days' written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety days the exact

time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection. The solicitor shall collect the same together with five per centum (5%) as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected. Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim. All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary. The tax collector and the treasurer shall make a report to the auditors of the township annually.

Section 10 Said section 702 as so reenacted and amended is hereby amended by adding at the end thereof two new clauses to read as follows

\* \* \* \* \*

**XLIV Widening and Deepening Water-Courses** After a permit has been secured from the Water and Power Resources Board to widen and deepen water-courses running through the township and to erect such dikes retaining walls and embankments along the same as shall be necessary to prevent water from overflowing the banks thereof. For such purposes townships may enter upon and condemn such property as may be necessary. Townships may enter upon land lying near such water-courses and secure such material as may be necessary in connection with such work. Damages for property taken injured or destroyed as the result of such work shall be fixed and determined in the manner provided in article ten of this act. Townships may appropriate moneys from the general fund for the purpose of carrying into effect the provisions of this clause.

**XLV Appointment of Certified Public Accountant** To employ a certified public accountant to audit the accounts of the township and the township officers if a petition has been presented to the supervisors by at least twenty-five taxpayers of the township asking for such appointment. The amount paid to the certified public accountant in any year shall not exceed the maximum allowed by law to be paid to the township auditors in such year.

Section 11 Section 802 Clause (4) and (5) of section 905 and sections 1135 and 2005 of said act as so reenacted and amended are hereby further amended to read as follows

**Section 802 Letting Contracts** Each township shall have the power to make to authorize and to ratify expenditures for lawful purposes from funds available therefor by borrowing within legal limitations. Provided That all contracts or purchases in excess of five hundred dollars (\$500) except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the township is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are [available] employed for such publication [and] or in [the] case [of] weekly newspapers are employed then the notice shall be published once a week for two successive weeks. The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids.

The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received. If for any reason one or both of the above meetings shall not be held the same business may be transacted at subsequent meetings. Provided That at least five days' notice thereof shall be published in the newspaper aforesaid.

The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing [the work to be done] performance of the contract with sufficient surety

in the amount of fifty per centum (50%) of the amount of the contract within twenty days after the contract has been awarded unless the supervisors shall prescribe a shorter period not less than ten days and upon failure to furnish such bond within such time the previous award shall be void. Delivery accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein.

The contracts or purchases made by any supervisors involving an expenditure of over five hundred dollars (\$500) which shall not require advertising or bidding as hereinbefore provided are as follows

(a) Those made for maintenance repairs or replacements for water electric light and other public works of the township provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the supervisors as in other cases of work done.

(b) Those made for improvements repairs or maintenance of any kind made or provided by any township through its own employees. Provided however That this shall not apply to construction materials used in a road improvement.

(c) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by the supervisors which are patented and manufactured products.

(d) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision county the Commonwealth of Pennsylvania or the Federal Government or any agency of the Commonwealth or Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies but the price thereof or the expenditure therefor shall not be in excess of those fixed by the Commonwealth the Federal Government or their agencies.

(e) Those involving personal or professional services. Except as herein provided no township official either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the township or for any work to be done for such township involving the expenditure by the township of more than three hundred dollars (\$300) in any year but this limitation shall not apply to cases where such officer or appointee of the township is an employee of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise. Provided however That in the case of a supervisor if he knows that he is within the exception just mentioned he shall so inform the supervisors and shall refrain from voting on the expenditures or any ordinance relating thereto and shall in no manner participate therein. Provided further That any such official or appointee who shall knowingly violate this provision shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the township ousted from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500). Provided That in the case the purchase of material [equipment and machinery] for the construction reconstruction maintenance and improvement of roads and bridges the contract which shall be in writing and shall be let only on standard specifications of the Department of Highways [or approved by said department] and materials so purchased shall only be used in accordance with specifications of [or approval of] said department.

Section 905 Township and Special Tax Levies A The board of township supervisors may by resolution levy taxes upon all real property and upon all occupations or

upon real property alone within the township made taxable for township purposes as ascertained by the last adjusted valuation for county purposes for the purposes and at the rates hereinafter specified All taxes shall be collected in cash

\* \* \* \* \*

4 A tax not exceeding two mills and not exceeding the amounts hereinafter limited for the purpose of purchasing and maintaining fire apparatus and to provide with the assent of the electors of the township as hereinafter provided a suitable place for the housing of the same and to make appropriations to fire companies for the purchase and maintenance of fire apparatus but the total expenditure for the purchase of fire apparatus by the township together with the amount of appropriation to one or more fire companies from such taxes shall not for the first fiscal year exceed in all the sum of seven thousand five hundred dollars nor shall any new fire apparatus be thereafter purchased by the township or by any fire company from appropriations made by the township without the consent of the electors as hereinafter provided [nor shall the total expenditure by the township in any fiscal year for the purpose of maintenance and operation together with the appropriations to any one or more fire companies exceed forty-five hundred dollars]

5 A tax not exceeding two mills for the purpose of establishing and maintaining fire hydrants and fire hydrant water service after obtaining the assent of two-thirds of the electors of the township voting thereon in the manner provided in this act

Section 1135 Petition of Property Owners Any township may grade curb gutter pave or otherwise improve with brick stone or any suitable materials any public street or road or part thereof [(not less than one thousand feet)] laid out and opened in the township No street or road or any part thereof shall be improved under the provisions of this section except upon the petitions of owners of property representing a majority in number of feet front of the properties abutting on the street or road or part thereof proposed to be improved [nor unless there shall be at least ten separate improved dwellings or places of business in each one thousand feet of road to be so improved]

Section 2005 Changes Such regulations restrictions and boundaries may from time to time be amended supplemented changed modified or repealed In case however of a protest against such change signed by the owners of twenty percent or more either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending one hundred feet from the street frontage of such opposite lots such amendment shall not become effective except by the favorable vote of [all] a majority of the supervisors

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsch,	Hall,	Monroe,	Sollenberger,

Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnar,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Deputy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 871

Mr. McMILLEN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 871.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considered House Bill No. 871, entitled: "An act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled 'An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; \* \* \* providing for additional examinations for school bus operators and further regulating safety requirements for school buses. the meeting or overtaking of school buses while taking on or discharging school children, and the establishment of off the highway loading zones by school districts."

Respectfully submit the following bill as our report:

JOHN G. SNOWDEN,  
JOSEPH J. YOSKO,  
FRASER P. DONLAN,  
(Committee on the part of the Senate.)

WM. R. McMILLEN,  
SAMUEL B. DENNISON,  
ROBERT WHEELER, JR.,  
(Committee on the part of the House of Representatives.)

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for additional examinations for school bus operators and further regulating safety requirements for school buses the meeting or overtaking of buses while taking on or discharging school children and the establishment of off the highway loading zones by school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding immediately following section six hundred eight thereof a new section to read as follows

#### Section 608.1 Additional Examinations for School Bus Operators

After the first day of July one thousand nine hundred fifty no person shall operate a school bus carrying school children on the highways of this Commonwealth unless he shall (1) have satisfactorily passed an additional examination for school bus operators to be given by the secretary and competency to operate such school bus with safety and his knowledge of the laws and regulations relating to the operation of school buses (2) Carries a currently valid school bus operator's certificate issued by the secretary pursuant to such examination (3) has satisfactorily passed a physical examination to be given annually at the beginning of every school year by the physician for the school district by which he is employed and (4) carries a currently valid certificate issued by the examining physician indicating that he has passed the prescribed physical examination The provisions of this section shall not apply to operators employed by any

person or company subject to the jurisdiction of the Pennsylvania Public Utility Commission

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than twenty-five dollars (\$25) and not more than fifty dollars (\$50) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not less than ten (10) days and not more than twenty-five (25) days

Section 2 Clause (7) of subsection (b) of section eight hundred twenty-eight of said act as last amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1170) is hereby further amended and two clauses are hereby added immediately following clause (8) thereof to read as follows

#### Section 828 School Buses Safety Requirements

\* \* \* \* \*

(b) No person shall own or operate a school bus carrying school children on the highways of this Commonwealth in a school bus that in addition to the other requirements of this act does not conform with the following

\* \* \* \* \*

(7) Every school bus shall be of a uniform color which shall be orange and every such bus shall be labeled both in the front and in the rear with black letters not less than six (6) inches in height with the words "School Bus" showing to the outside any school bus purchased or repainted after the effective date of this amendment shall be of a uniform color of national school bus chrome and every school bus shall be labeled both in front and in the rear with black letters not less than eight inches in height with the words "School Bus" showing to the outside The type size and form of school bus signs to be displayed by buses owned and operated by a person or company subject to the jurisdiction of the Public Utility Commission shall be determined by the Secretary of Revenue the Commissioner of the Pennsylvania State Police and the Superintendent of Public Instruction When a school bus is being operated upon a highway other than for the transportation of school children either to or from school all the labels containing the words "School Bus" shall be removed covered or concealed

\* \* \* \* \*

(9) Every school bus shall be equipped with two electrical or mechanical stop signal devices one to the front and one to the rear thereof in addition to the stop signal devices otherwise required by this act Each such additional device shall be plainly visible to operators of approaching vehicles in normal sunlight and at night from a distance of one hundred (100) feet to the front or to the rear as the case may be shall not project a glaring light and shall be of types approved by the secretary

(10) Every school district transporting pupils by school bus shall establish and maintain at or near all schools to or from which pupils are transported off the highway loading zones and shall establish and designate school bus loading zones along the highways traversed by school buses erecting thereat official "School Bus Stop" signs Such signs as may be required by this section shall be furnished and maintained by the school districts and shall be erected by the authorities responsible for the maintenance of the highway

Such loading zones shall be located off the travelable portion of the highway wherever practicable The Secretary of Highways with respect to State highways and local authorities with respect to highways under their jurisdiction shall have the authority to determine if any school bus loading zone established as herein provided is hazardous to any other users of the highway and if he so finds he may discontinue the same or cause it to be relocated to a point where such hazard will be eliminated

(11) Whenever school bus loading zones have been established at or near a school or along a highway it shall be unlawful for a school bus operator to stop his bus to pick up or discharge pupils at any location other than at such loading zones

(12) The provisions of clause (7) of this section requir-

ing labeling shall apply to all buses when used exclusively for the transportation of school children whether or not the bus is owned and operated by a person or company subject to the jurisdiction of the Pennsylvania Public Utility Commission but none of the other provisions of said clause or of clause (9) of this section shall apply to uses subject to the jurisdiction of the Public Utility Commission

Section 3 Subsection (b) of section one thousand seventeen of said act as amended by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1056) is hereby further amended to read as follows

Section 1017 Passing Street Cars

(b) No operator of a vehicle who meets or overtakes a street passenger car [or school bus] that has stopped for the purpose of taking on or discharging passengers shall pass said car [or school bus] on the side on which the passengers get on or off until the car [or school bus] has started and until any passengers who may have alighted have reached the side of the highway except that where a safety zone has been established or at an intersection where traffic is controlled by a peace officer or a traffic signal a vehicle need not be brought to a full stop before passing any such railway interurban street car [or school bus] but may proceed past such car [or school bus] at a speed not greater than is reasonable or proper and in no event greater than ten (10) miles an hour and with due caution for the safety of pedestrians

Section 4 Said act is hereby amended by adding immediately following section one thousand seventeen thereof a new section to read as follows

Section 1017.1 Passing School Buses

The driver of a vehicle when approaching the front or rear of a school bus conforming to the requirements of this act that has come to a stop upon any highway or street outside of a business or residential district while in the act of receiving or discharging any school child shall stop such vehicle not less than ten (10) feet from such school bus and keep such vehicle stationary until such school bus resumes motion or the school bus operator signals him to proceed except that (1) upon a highway with separate roadways when the school bus is on a separate roadway or (2) upon a limited or controlled access highway when the school bus is stopped in a loading zone adjacent to or part of such highway and where pedestrians are not permitted to cross such highway (3) upon a highway when a school bus is stopped off the highway in a loading zone the driver need not stop his vehicle upon meeting or passing a school bus No school bus operator shall start his bus or signal the driver of any vehicle who has stopped in compliance with the provisions of this section to proceed until after each child who may have alighted therefrom shall have reached a place of safety

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty dollars (\$20) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,

Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bombberger,	Greer,	Miller,	Smith, C. C.,
Boorse,	Guarnieri,	Milliken,	Smith, W. B.,
Bower,	Guthrie,	Mills,	Snider,
Brandon,	Hagerty,	Mintess,	Shoemaker,
Brelsich,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Relly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Lelsey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 872

Mr. FLACK. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 872.

The report was read by the Clerk.

The SPEAKER. The report will be laid over for printing.

## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 872

Mr. FLACK. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 872.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 872, entitled: "An act to further amend the act approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379) entitled 'An act creating in counties of the third class a board for the assessment and revision of taxes: providing for the appointment of the members of such

board by the county commissioners; providing for their salaries payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property and occupations for county, borough, town, township, school and poor purposes; authorizing the appointment of subordinate assessors a solicitor, engineers and clerks; providing for their compensation payable by such counties; abolishing the office of ward, borough and township assessors so far as the making of assessments and valuations for taxation is concerned, and providing for the acceptance of this act by cities,' by providing for annual assessments, abolishing triennial assessments, providing for fixing of salaries of subordinate assessors, limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made, and making assessments applicable to taxation for institution district purposes, \* \* \*

Respectfully submit the following bill as our report:

G. ROBERT WATKINS,  
ANTHONY J. DiSILVESTRO,  
GEORGE B. SCARLETT,

(Committee on the Part of the Senate.)

HAROLD E. FLACK,  
JAMES N. ROBERTSON,  
J. HIRAM SWOPE,

(Committee on the Part of the House of Representatives.)

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by providing for annual assessments abolishing triennial assessments providing for fixing of salaries of subordinate assessors limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made and making assessments applicable to taxation for institution district purposes and providing for the preparation of duplicate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three four five six and seven of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" section four of which was repealed in so far as it limited the compensation of subordinate assessors by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1308) are hereby amended to read as follows

Section 3 It shall be the duty of said board in each county to which this act applies to make and have supervision of the making of [all] annual assessments of persons property and occupations now or hereafter made subject to assessment for taxation for county borough town township school [and] poor and institution district purposes The making of triennial assessments as provided by existing law is hereby abolished

Section 4 The said board shall divide the county into convenient districts which it may change as occasion may require and shall appoint subordinate assessors for said districts The subordinate assessors shall receive such compensation as the salary board shall fix [not exceeding two thousand dollars per annum] which salaries shall be paid out of the county treasury The said board shall also have the right to appoint an engineer or engineers and such clerks at such salaries as the salary board of the county may allow for the proper discharge of the duties of said board which salaries shall be paid out of the county treasury

Section 5 The said board may prescribe rules and regulations for the conduct of said subordinate assessors determine when precepts shall be issued to them and when they shall make returns to said board [both in triennial and intermediate years]

Section 6 The [field] subordinate assessors shall make the [triennial] annual assessment of all property and persons taxable upon occupations subject to assessment for taxation for aforesaid purposes together with a list of all persons subject to a school per capita tax or a poll tax within their respective districts and in so doing shall view all properties in their district taxable for said purposes and shall make a personal house to house canvass for their district in order that the lists of persons taxable upon occupation or subject to a school per capita tax or poll tax may be accurate and correct insofar as it is possible to make them They shall also have and possess except as modified by this act the same powers and perform the same duties and be subject to the same liabilities as are now or shall hereafter be conferred or imposed upon borough ward town and township assessors with respect to making assessments and valuations for taxation purposes All such assessors who shall fail to make assessments and lists in the manner herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and in default of the payment of such fine and costs to undergo an imprisonment not exceeding ninety days

Section 7 The said board shall before the fifteenth day of September examine and revise the said [triennial] annual assessments and valuations increasing or decreasing the same as in their judgment may seem proper and shall add thereto and assess such property or persons taxable upon occupations as may have been omitted and may also add thereto the names of any persons subject to a school per capita tax or poll tax as may have been omitted [After such revision the board shall fix convenient times for the hearing of appeals on said assessments and valuations and after the hearing of said appeals and the making of whatever changes may be considered proper the valuations as so ascertained and revised unless changed in the manner hereinafter provided shall stand as the assessments for taxation for the aforesaid purposes until the next triennial assessment]

The board shall before the first day of October prepare an assessment roll or list of persons and property subject to local taxation together with the value placed upon each person each parcel or tract of real property and the personal property of each person The board shall at the same time prepare a list of all property exempted by law from taxation

Section 2 Section eight of said act as amended by the act approved the twelfth day of April one thousand nine hundred thirty-five (P. L. 27) is hereby further amended to read as follows

Section 8 [It shall be the duty of said board to give

notice by advertising in one or more newspapers printed in such county at least three weeks before the day of appeal of the time and place fixed for such appeal. It shall also be the duty of the said board to give written or printed notice as hereinafter provided at least five days before the day of appeal to every taxable property owner within such county of the amount or sum for which his property is assessed and of the time and place of such appeal.]

(a) The assessment roll shall be open to public inspection at the office of the board at the county seat during ordinary business hours of each business day from the time of completion to and including the first day of November. Upon completion of the assessment roll the board shall give notice by publication once in one or more newspapers published in the county that such assessment roll has been completed and the place and times when such roll will be open for inspection and shall in the same notice state that any person desiring to appeal from any assessment shall file with the board on or before the first day of November an appeal in writing designating the assessment appealed from.

(b) Upon completion of the assessment roll but in no event later than the first day of October the board shall cause to be mailed to each owner of property or person assessed the value of whose property or personal assessment has not theretofore been separately fixed or the value of whose property or personal assessment has been changed from that finally fixed in the preceding assessment roll at his last known address a notice of such change and the amount of the old assessment if the property or personal assessment was previously separately assessed and the amount of the new assessment. Such notice shall state that any person aggrieved by any assessment may appeal to the board for relief by filing with the board on or before the first day of November an appeal in writing designating the assessment or assessments by which such person is aggrieved and the address to which notice of the time and place for a hearing of the appeal shall be mailed.

(c) Any person aggrieved by any assessment whether or not the value thereof shall have been changed since the preceding annual assessment may appeal to the board for relief. Any person desiring to make an appeal shall on or before the first day of November file with the board an appeal in writing setting forth

(1) The assessment or assessments by which such person feels aggrieved

(2) The address to which the board shall mail notice of the time and place of hearing

(d) On the first Monday of November the board shall meet for the hearing of appeals and shall continue to meet for such purpose from time to time until all appeals have been heard and acted upon. All appeals shall be heard and acted upon not later than the first day of January. The board shall notify each person who has filed an appeal of the time and place of hearing on said appeal by depositing such notice in the mail addressed to such person at the address designated in the appeal not later than the tenth day preceding the day designated in the notice for such appearance. Any person who shall fail to appear for hearing at the time fixed shall be conclusively presumed to have abandoned his appeal.

(e) When the board has completed the hearing of appeals and has in each case entered its order it shall make such changes in the assessment roll as will make it conform to such orders. When such corrections have been made the board shall prepare three copies of the assessment roll and deliver them with his certificate that they are a true copy of the original assessment roll to the following:

(1) One copy to the chief clerk of the County Commissioners

(2) One copy to such portion of the roll as contains the assessment of persons or property within each school district to the secretary of the board of school directors of the respective school district and

(3) One copy of such portion of the roll as contains the

assessment of persons or property within each city accepting the provisions of this act borough town or township to the respective city clerk borough secretary town clerk or secretary or township secretary. All copies of such roll so furnished shall for all purposes be considered as originals. The said copies in addition to the information required to be shown on the original assessment roll shall provide space to the right of each assessment for the entry of all taxes which may be levied thereon by the respective political subdivisions. The original assessment roll as corrected after appeals shall be preserved in the office of the board or of the board and shall be open to public inspection subject to such regulations as the board may prescribe for the preservation and safe-keeping of such roll.

(f) On or before the fifteenth day of January the board shall certify to the clerk or secretary of each political subdivision coming within the scope of this act within the county the value of real property the value of occupations and the number of persons subject to personal taxes appearing in the assessment roll and taxable by the respective political subdivisions.

Section 3 Section ten of said act is hereby repealed.

Section 4 Sections twelve fifteen and eighteen of said act are hereby amended to read as follows:

Section 12 After the hearing of any objections thereto and the making of any changes that may be deemed proper the valuation as so ascertained shall unless changed in the manner herein provided stand as the valuations for assessments for aforesaid purposes until [the next triennial] changed at any subsequent annual assessment.

Section 15 When the said valuations and assessments have been made all taxation on real estate and personal assessments for county borough town township school purposes (except in cities) institution district and poor purposes within the limits of such county shall be based upon such valuations and assessments.

Section 18 The corporate authorities of any borough town township school and poor district who may feel [grieved] aggrieved by any assessment of property or subjects of taxation for its corporate purposes shall have the right to appeal therefrom in entirety or by individual assessments to the board or to the court of common pleas or the Superior or Supreme Court in the same manner subject to the same procedure and with like effect as if such appeal were taken by a taxable with respect to his [property] assessment and in addition may take an appeal from any decision of the board or court of common pleas as though it had been a party to the proceedings before such board or court even though it was not such a party in fact.

Section 5 The assessments made under the provisions of this act shall apply to taxes levied in the year one thousand nine hundred fifty-one and subsequent years and the assessments applicable to the taxes levied in the years prior to one thousand nine hundred fifty-one shall be made in accordance with the provisions of law applicable to triennial and intermediate assessments in effect at the time of the adoption of this act.

Section 6 The provisions of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" are not repealed hereby except insofar as the same are inconsistent with the provisions hereof.

Section 7 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

## NAYS—0

## NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE  
REPORT ON SENATE BILL NO. 399

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

## SENATE BILL NO. 399

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P L 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of certain additional words in the corporate name changing the contents of articles of Young Men's Christian Associations authorizing the passage of by-laws superseding the charter on purely administrative matters permitting notice of meetings to be given by advertisement changing certain provisions relating to mergers consolidations and foreign corporations and repealing an act

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL NO. 399

Mr. ORBAN. Mr Speaker, I call up the report of the Committee of Conference on Senate Bill No. 399.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 399, entitled: "An act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P L 289), entitled 'An act relating to nonprofit corporations,'" prohibiting the use of certain additional words in the corporate name, changing the contents of articles of Young Men's Christian Associations; authorizing the passage of by-laws superseding the charter on purely administrative matters; permitting notice of meetings to be given by advertisement changing certain provisions relating to mergers, consolidations and foreign corporations and repealing an act."

Respectively submit the following bill as our report:

A. J. TALLMAN,  
R. B. MAHANY,  
MAXWELL S. ROSENFELD,  
(Committee on the part of the Senate.)

JOHN H. MCKINNEY,  
FRANK A. ORBAN, JR.,  
ALBERT S. READINGER,

(Committee on the part of the House of Representatives.)

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P L 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Common-

wealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of certain additional words in the corporate name changing the contents of articles of Young Men's Christian Associations authorizing the passage of by-laws superseding the charter on purely administrative matters permitting notice of meetings to be given by advertisement changing certain provisions relating to mergers consolidations and foreign corporations and repealing an act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P L 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P L 957) is hereby further amended to read as follows

Section 202 The Corporate Name A The corporate name may be in any language but must be expressed in English letters or characters The corporate name shall not imply that the Corporation is a governmental agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking the Public Utility Commission or of the Insurance Department and shall not contain the word "bank" "banking" "banker" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" "Commonwealth" "United States" or "Federal" nor shall the corporate name contain the word "college" or "university" when used in such a way as to give the impression that it is an educational institution conforming to the standards and qualifications prescribed by the State Council of Education unless there be submitted a certificate from the State Council of Education certifying that the corporation or proposed corporation is entitled to use such designation Provided however That the word "State" "Commonwealth" "United States" or "Federal" may be used if such use does not imply that the corporation is a governmental agency of the Commonwealth or of the United States

Section 2 Clause (2) of section two hundred fifteen and section four hundred three of said act are hereby amended to read as follows

Section 215 Young Men's Christian Association In the case of the incorporation of a Young Men's Christian Association the articles of incorporation shall in addition to the information heretofore required by this article set forth

\* \* \* \* \*

(2) A statement that the proposed corporation is for the improvement of the spiritual mental social and physi-

cal condition of young [men] people by the support and maintenance of lecture rooms libraries reading rooms religious and social meetings gymnasiums and such other means and services as may conduce to the accomplishment of that object according to the general rules and regulations of the State Young Men's Christian Association of Pennsylvania

Section 403 Contents of By-laws Subject to the provisions of this act the by-laws may contain any provisions for the regulation and management of the affairs of the corporation and may provide penalties for the breach thereof not exceeding twenty dollars (\$20.00) and may change alter or amend such provisions of the corporate charter as are purely administrative in their nature any limitation contained in any such charter to the contrary notwithstanding

Section 3 Section six hundred four of said act as amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P L 590) is hereby further amended to read as follows

Section 604 Notice of Meetings of Members Written notice of every meeting of the members shall be given by or at the direction of the person authorized to call the meeting to each member of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act in a particular case Provided That [cemetery companies] such corporations may provide in their by-laws that in lieu of written notice they shall give at least five (5) days' notice of such meeting by advertising once in one newspaper of general circulation within the city borough or township where the [cemetery] corporation is located and once in the legal journal published in the county if any [and by posting a copy of the notice at least five (5) days prior to the day named for such meeting on the cemetery gates] In all such cases where [cemetery companies] such corporations provide for notice by publication [and posting] it shall be unnecessary to give written notice of meetings to members of record entitled to vote at meetings and such notice by advertising [and posting] shall be effective as actual and not merely constructive notice of meetings When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 4 Section eight hundred one of said act as amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P L 1294) is hereby further amended to read as follows

Section 801 Merger or Consolidation Authorized A Any two or more domestic nonprofit corporations formed for kindred purposes or any one or more domestic nonprofit corporations and any one or more foreign nonprofit corporations may in the manner hereinafter provided in this article either be merged into one of such [domestic] nonprofit corporations either domestic or foreign hereinafter designated as the surviving corporation or be consolidated into a new domestic or foreign nonprofit corporation provided such foreign nonprofit corporations are authorized by the law or laws of the jurisdiction under which they were formed to effect such merger or consolidation [Such application shall be made to the court of common pleas of the county in which the registered office of the surviving or new corporation is to be located] If a proposed merger or consolidation will result in a surviving domestic corporation or a new domestic corporation such application shall be made to the Court of Common Pleas of the county in which the registered office of such surviving corporation is located or the registered office of such new corporation is to be located if any proposed merger or consolidation will result in a surviving foreign corporation or a new foreign corporation such application shall be made to the Court of Common Pleas of the county in which the registered office of the constituent domestic corporation is located unless there are two or

more constituent domestic corporations to such merger or consolidation in which case such application shall be made to the Court of Common Pleas of the county in which the registered office of any one of such constituent domestic corporations is located. The merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation have been adopted and filed as provided in this act.

Section 5 Sections eight hundred two and eight hundred three of said act are hereby amended to read as follows

Section 802 Approval of Joint Plan of Merger or Consolidation Before the application is made to the court a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and such other details and provisions as are deemed necessary shall be approved by the affirmative vote of at least a majority of the members of each of the merging or consolidating domestic corporations entitled to vote thereon at a regular or special meeting of each domestic corporation convened after at least ten days' written notice to all the members of this purpose. If the proposed plan of merger or consolidation would make any change in the rights of the members of any class of a domestic corporation then the members of such class shall be entitled to vote as a class upon such plan whether by the terms of the articles of the corporation such class is or is not entitled to vote and in addition to the vote herein required the affirmative vote of at least a majority of the members of each class so affected by the plan shall be necessary for the adoption thereof. If any foreign corporation is a party to the merger or consolidation the plan of merger or consolidation shall be authorized adopted or approved by such foreign corporation in accordance with the laws of the jurisdiction in which it was formed. The fact of such approval shall be certified on the joint plan by the secretary of each corporation and the plan so adopted and certified shall be signed and acknowledged by two duly authorized officers of each corporation.

Section 803 Articles of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the [members of the] corporations desiring to merge or consolidate as provided in the preceding section articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation shall be signed and verified by at least two duly authorized officers of each corporation and shall among other things set forth

(1) The name and location of the registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with such state

(2) The time and place of the meeting of the members of each domestic corporation at which the joint plan was adopted the kind and period of notice given to the members and the total vote by which the joint plan was adopted

(2.1) If any foreign corporation is a party to the merger or consolidation the fact that the joint plan was authorized adopted or approved as the case may be by such corporation in accordance with the laws of the jurisdiction in which it was formed

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation if the new corporation be a domestic corporation all of the statements required by this act to be set forth in articles of incorporation in the case of formation of a corporation

(4) The names and addresses of the persons to be directors of the surviving or new corporation until the first regular meeting of its members

(5) The plan of the merger or consolidation

(6) If the surviving or new corporation is to be a foreign

corporation a designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of such corporation upon whom may be served all lawful process in any action or proceeding against it for enforcement against it of any obligation of any constituent domestic corporation or any obligation arising from the merger or consolidation proceedings or any action or proceeding to determine and enforce the rights of any member and an agreement that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on such corporation and that the authority for such service of process shall continue in force as long as any of the aforesaid obligations and rights remain outstanding in this Commonwealth

Section 6 Section eight hundred four of said act as amended by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P L 957) is hereby further amended to read as follows

Section 804 Registration of corporate name If the name of the domestic surviving corporation in the case of a merger or of the domestic new corporation in the case of a consolidation is to be different from the name of either of the constituent corporations the constituent corporations shall make a joint application to the Department of State for the registration of the proposed name. The application shall set forth the names and addresses including street and number if any of the registered offices of the constituent corporations the date of incorporation and the act under which each was incorporated and the name which the surviving or new corporation desires to use and the address including street and number if any of the registered office of the surviving or new corporation. If the Department of State finds that the proposed name is available for corporate use the department shall register the name and shall issue to the corporations or their representative a certificate that the proposed name has been duly registered. If the proposed name is not available for corporate use the department shall refuse to register such name and shall forthwith notify the corporation or their representative of this fact. Upon application of any party interested either for or against the proposed merger or consolidation the department shall include in any certificate issued by it under this section any information desired as to the names registered with the department.

Section 7 Sections eight hundred five eight hundred six eight hundred seven eight hundred eight and eight hundred nine of said act are hereby amended to read as follows

Section 805 Articles of merger or consolidation to be filed with the prothonotary A copy of the articles of merger or articles of consolidation as the case may be and in the case of a proposed change of the corporate name the certificate from the Department of State relating to the registration of the proposed corporate name shall be filed jointly by the constituent corporations in the office of the prothonotary of the Court of Common Pleas of the county [wherein the registered office of the surviving or new corporation is to be located] to which the application for merger or consolidation is required by this act to be made. The articles and the certificate if any shall remain on file in the office of the prothonotary at least three days prior to the day the application for merger or consolidation will be made to the court as hereinafter provided and shall be open to the inspection of the public during the business hours of such office.

Section 806 Advertisement The constituent domestic corporations shall jointly advertise their intention to apply to the court for permission to merge or consolidate in newspapers published in the county or counties in which the registered offices of the corporations are located in a manner similar to that heretofore prescribed in this act. In the case of the formation of a nonprofit corporation advertisements shall appear at least three days prior to the day fixed for the presentation of the application to the court and shall set forth briefly

(1) The names and location of the registered offices of the constituent corporations

(2) The name and location of the proposed registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with such state

(3) A statement that the merger or consolidation is to be effected under the provisions of this act

(4) A brief summary of the plan of merger or consolidation

(5) A statement that the articles of merger or articles of consolidation as the case may be have been filed in the office of the prothonotary and the time when the application will be made to the court

Section 807 Court to approve or refuse merger or consolidation On the day specified in the advertisement or as soon thereafter as the matter may be heard the constituent corporations or their representative shall present an application for the merger or consolidation of such corporations to the court and shall present to the court the articles of merger or articles of consolidation as the case may be a certified copy of the joint plan of merger or consolidation proof of the advertisement required by the preceding section and in the case of a proposed change of the corporate name a certificate of registration from the Department of State the court shall consider the application It may hear evidence on behalf of the applicants and against the application if any there be or it may refer the application to a master to make report as to the propriety of granting the application in such case Upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them if the court shall be of the opinion that the proposed merger or consolidation is lawful will be beneficial and not injurious to the community and does not conflict with the requirements of this act the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the recording of the articles and the order the merger or consolidation shall take effect as hereinafter provided in this act However the court shall not approve articles of merger or articles of consolidation presented by or on behalf of an educational or nonsectarian charitable corporation unless and until the court shall receive the approval or recommendation of the State Council of Education or the Department of Welfare as the case may be in a manner similar to that prescribed by this act in the case of the formation of such corporations

Section 808 Recording of Articles of Merger or Consolidation After the court shall have approved the articles of merger or articles of consolidation as required by the preceding section the prothonotary shall transmit the articles approved by the court to the office of the recorder of deeds of the county where they shall be recorded The laws of the jurisdiction of the surviving corporation shall also be complied with if the surviving corporation is a foreign nonprofit corporation Upon the recording of the articles the merger or consolidation shall become effective In case the surviving or new corporation is a domestic corporation the merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation have been approved by the court and recorded as provided in this act The articles upon being recorded shall be returned to the prothonotary who shall retain and file them as part of the records of the court and who shall issue a certified copy thereof to the surviving or new corporation as the case may be or its representatives Certified copies of articles so recorded shall be competent evidence for all purposes in the courts of this Commonwealth In event any constituent domestic corporation to the merger or consolidation was incorporated in another county the aforesaid prothonotary shall certify in writing to the recorder of deeds of such other county the

fact of such merger or consolidation and the recorder of deeds of such other county shall record such certificate

Section 809 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single corporation which in the case of a merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of a consolidation shall be the new corporation provided for In the plan of consolidation the separate existence of the corporations parties to the plan of merger or consolidation shall cease except that of the surviving corporation In the case of a merger the surviving or new corporation as the case may be if it be a domestic corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise all the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation And all debts due on whatever account to any of them including subscriptions for membership and other choses in action belonging to any of them shall be transferred to and vested in such surviving or new corporation as the case may be Without further act or deed the surviving or new corporation shall be responsible for all the liabilities and obligations of each of the corporations merged or consolidated but the liabilities of the merging or consolidating corporations or of their members directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place If in the case of a merger the article of [incorporation] merger shall set forth any matters with respect to which the articles of incorporation of the surviving domestic corporation are to be amended The articles of incorporation of such corporation shall be deemed to be amended accordingly upon the recording of the articles of merger and the order of the court in the case of a consolidation resulting in a new domestic corporation The articles of consolidation shall be deemed to be the articles of incorporation of [the] such new corporation Any devise bequest gift or grant contained in any will or other instrument in trust or otherwise made before or after such merger or consolidation to or for any of the constituent corporations shall inure to the surviving or new consolidated corporation as the case may be

Section 8 Clause (6) of section nine hundred four of said act is hereby amended to read as follows

Section 904 Application for a Certificate of Authority The foreign nonprofit corporation or its representative shall deliver to the Department of State a copy of its articles and all amendments thereto duly certified by the proper public officer of the state or country of its incorporation or if the corporation is created by a special law and has no articles a duly certified copy of such law a verified translation of any part of such articles amendments or law which is in a foreign language proof of the advertisement heretofore required by this article and an application for a certificate of authority executed under the seal of the corporation and signed and verified by at least two duly authorized officers thereof which shall set forth

\* \* \* \* \*

(6) [The character and nature] A brief statement of the business it proposes to do within this Commonwealth

Section 8 The act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1045) entitled "An act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to change alter and amend by by-laws such provisions of their charters as are purely administrative

and validating such changes alterations and amendments heretofore made" is hereby repealed

Section 10 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsich,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Tompkins,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnier,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dairymple,	Jim,	Penglass,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reldenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 400

Mr. McKINNEY. Mr. Speaker, I present the report of the Committee of Conference on Senate Bill No. 400.

The report was read by the Clerk.

The SPEAKER. This being a Senate Bill, the report will be noted in the Journal and printed by the Senate.

#### SENATE MESSAGE

#### SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 400

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

#### SENATE BILL No. 400.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing the requirement of and effect of notice to shareholders in certain cases further limiting the use of certain words in corporate names defining the term of office of the first directors changing provisions relating to the inception of corporate existence or authority to do business changing the requirements of contents of articles of incorporation and application for certificates of authority providing for indemnification of directors and officers and other persons of certain expenses making certain changes relating to officers, assistant officers and agents the determination of shareholders of record cancellation of acquired shares advertising in connection with articles of amendment issuance and redemption of shares amendment of articles of incorporation merger and consolidation providing for the domestication of foreign corporations and eliminating the filing of affidavit of paid in capital and clearance certificates in certain cases.

Mr. McKINNEY. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 400.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 400, entitled: "An act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364) entitled 'An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; \* \* \*,' by changing the requirements of and effect of notice to shareholders in certain cases; further limiting the use of certain words in corporate names; defining the term of office of the first directors; changing provisions relating to the inception of corporate existence or authority to do business; changing the requirements of contents of articles of incorporation and application for certificates of authority; providing for indemnification of directors and officers and other persons of certain ex-

penses; making certain changes relating to officers, assistant officers and agents; the determination of shareholders of record; cancellation of acquired shares; advertising in connection with articles of amendment; issuance and redemption of shares; amendment of articles of incorporation; merger and consolidation, \*\*\*"

Respectfully submit the following bill as our report:

D. J. TALLMAN,  
R. B. MAHANY,  
MAXWELL S. ROSENFELD,  
(Committee on the Part of the Senate.)

JOHN H. MCKINNEY,  
FRANK A. ORBAN, JR.,  
ALBERT S. READING,

(Committee on the Part of the House of Representatives.)

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing the requirement of and effect of notice to shareholders in certain cases further limiting the use of certain words in corporate names defining the term of office of the first directors changing provisions relating to the inception of corporate existence or authority to do business changing the requirements of contents of articles of incorporation and application for certificates of authority providing for indemnification of directors and officers and other persons of certain expenses making certain changes relating to officers assistant officers and agents the determination of shareholders of record cancellation of acquired shares advertising in connection with articles of amendment issuance and redemption of shares amendment of articles of incorporation merger and consolidation providing for the domestication of foreign corporations and eliminating the filing of affidavit of paid-in capital and clearance certificates in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby

amended by adding at the end thereof two new subsections to read as follows

#### Section 8 Notice of Meetings

\* \* \* \* \*

d Whenever the language of a proposed resolution is included in a written notice of a meeting of shareholders of a business corporation the shareholders' meeting considering the resolution may adopt it with such clarifying or other amendments as do not enlarge its original purpose without further notice to shareholders not present in person or by proxy

E Whenever by this act written notice is required to be given to shareholders of a business corporation of a proposal to be considered at a meeting of shareholders such notice unless waived shall be given at least sixty days before such meeting in any case where the proposal would increase either the aggregate par value of shares of all classes having par value which the corporation is authorized to issue or the aggregate number of shares of all classes without par value which the corporation is authorized to issue provided however that this subsection shall not apply to (1) an increase by virtue of which issued shares of a corporation are changed into a greater equal or smaller number of shares of the same or a different class or classes whether with or without par value and if with par value whether with a greater equal or smaller aggregate par value through the issuance of dividends in shares of the corporation or otherwise provided that if the stated capital applicable to such issued shares is thereby increased surplus equal to the amount of such increase is at or before such increase transferred to stated capital (2) a change of unissued shares with par value into an equal or smaller number of shares without par value or (3) a change of unissued shares without par value into an equal or smaller number of shares with par value

Section 2 Subsection A of section two hundred two of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (Pamphlet Laws 937) is hereby further amended to read as follows

Section 202 The Corporate Name A The corporate name may be in any language but must be expressed in English letters or characters and shall contain the word "corporation" "company" or "incorporated" or an abbreviation thereof except that the word "company" or the abbreviation "Co" may not be used where that word or abbreviation is immediately preceded by the word "and" or any symbol or substitute therefor unless the word "incorporated" or any abbreviation thereof immediately follows the word "company" or the abbreviation "Co" The corporate name shall not imply that the corporation is a governmental agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking the Public Utility Commission or of the Insurance Department and shall not contain the word "bank" "banking" "bankers" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefits" "beneficial" "benevolent" "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" "Commonwealth" "United States" or "Federal" except where the use of such words by ordinary and common interpretation could not imply that the corporation is a governmental agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking the Public Utility Commission or of the Insurance Department nor shall the corporate name contain the word "college" or "university" when used in such a way as to give the impression that it is an educational institution conforming to the standards and qualifications prescribed by the State Council of Education unless there be submitted a certificate from the State Council of Education certifying that the corporation or proposed corporation is entitled to use such designation [Provided however That the word "State" "Commonwealth" "United States" or "Federal" may be used if such use does not

imply that the corporation is a governmental agency of the Commonwealth or of the United States]

Section 3 Clauses (3) (8) and (9) of section two hundred four section two hundred five section two hundred seven subsection a of section two hundred eight and section two hundred ten of said act are hereby amended to read as follows

Section 204 Articles of Incorporation Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least two of them before any officer within or without this Commonwealth authorized to take acknowledgments and shall set forth in the English language

\* \* \* \* \*

(3) A [precise and accurate] statement of the purpose or purposes for which the corporation is organized and that it is organized under the provisions of this act

\* \* \* \* \*

(8) The [amount of paid-in capital] value of property with which the corporation will begin business [which shall not be less than five hundred dollars (\$500) in cash]

(9) The names of the first directors their post office addresses [and their terms of office] including street and number if any who shall serve until the first annual meeting

Section 205 Advertisement The incorporators shall advertise their intention to file articles of incorporation with the department of state one time in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any designated by the rules of the court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the initial registered office of the corporation is to be located where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient Advertisements shall appear at least there days prior to the day the articles of incorporation are filed with the Department of State and shall set forth briefly

(1) The name of the proposed corporation

(2) A statement that the proposed corporation is to be organized under the provisions of this act

(3) The purpose or purposes of the proposed corporation [and]

(4) The time when the articles will be filed with the Department of State

Section 207 Effect of [Issuance] Approval of [Certificate] articles of Incorporation Upon the [issuance] approval of the [certificate] articles of incorporation by the Department of State the corporate existence shall begin and those persons who subscribe for shares prior to the [issuance of the certificate] approval of the articles of incorporation or their assignees shall be shareholders in the corporation The certificate of incorporation shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

Section 208 Conditions Precedent to Beginning Business Penalty for Violation of Section A A corporation formed under this act shall not incur any indebtedness or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscriptions to or the payment for its shares until

[(1) The amount of capital] the value of property with which it will begin business as stated in the articles has been fully paid [and] or received

[(2) There has been filed with the Department of State an affidavit signed by at least a majority of the board of directors stating that the amount of capital with which it will commence business as stated in the articles has been fully paid in]

Section 210 Organization Meetings After the [issuance]

approval of the [certificate] articles of incorporation the first meeting of the shareholders shall be held within or without this Commonwealth at the call of the shareholders who were the incorporators or a majority of them for the purpose of adopting by-laws unless the articles provide that by-laws shall be adopted by the board of directors and for such other purposes as shall be stated in the notice of the meeting The persons calling the meeting shall give to each shareholder at least ten days' written notice of the time place and purpose or purposes of the meeting

After the [issuance] approval of the [certificate] articles of incorporation an organization meeting of the board of directors named in the articles shall be held either within or without this Commonwealth at the call of a majority of the directors for the purpose of adopting by-laws if the articles authorize the directors to adopt by-laws of electing officers and of transacting such other business as may come before the meeting The directors calling the meeting shall give at least five days' written notice to each director named in the articles of the time and place of the meeting

Section 4 Section four hundred one of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (Pamphlet Laws 2828) is hereby further amended to read as follows

Section 401 Board of Directors The business and affairs of every business corporation shall be managed by a board of at least three directors who shall be natural persons of full age and who need not be residents of this Commonwealth or shareholders in the corporation unless the articles or by-laws so require Each director shall hold office for the term for which he is elected and until his successor shall have been elected and qualified The names [and terms of office] of the first directors their post office addresses including street and number if any who shall serve until the first annual meeting shall be stated in the articles Except as hereinafter provided in this article in the case of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders A business corporation may allow compensation to its directors for their services and a director may also be a salaried officer of the corporation

Section 5 Sections four hundred two and four hundred three of said act are hereby amended to read as follows

Section 402 Number Qualifications and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

(1) A director shall be elected for a term of at least one year except that the first directors shall serve only until the first annual meeting

(2) The number of directors shall be the same as that stated in the articles

(3) Vacancies in the board of directors shall be filled by a majority of the remaining members of the board though less than a quorum and each person so elected shall be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto

(4) The meetings of the board of directors may be held at such place within this Commonwealth or elsewhere as a majority of the directors may from time to time appoint or as may be designated in the notice calling the meeting

(5) A majority of the directors in office shall be necessary to constitute a quorum for the transaction of business and the acts of a majority of the directors present at a meeting at which a quorum is present shall be the acts of the board of directors Provided That if all the directors shall severally or collectively consent in writing to any action to be taken by the corporation such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors

(6) The board of directors may by resolution adopted

by a majority of the whole board delegate two or more of its number to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board of directors in the management of the business of the corporation

Section 403 Classification of Directors If the articles or by-laws of a business corporation so provide the directors of the corporation may be classified in respect to the time for which they shall severally hold office except that the first directors shall serve only until the first annual meeting In such case each class shall be as nearly equal in number as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than four years

Section 6 Section four hundred six of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (Pamphlet Laws 2828) is hereby further amended to read as follows

Section 406 Officers and Agents Every business corporation shall have a president a secretary and a treasurer and may have such other officers and assistant officers and agents as it shall authorize from time to time The articles or by-laws may prescribe special qualifications for such officers The president and secretary shall be natural persons of full age The treasurer however may be a corporation but if a natural person shall be of full age [The officers assistant officers and agents shall be elected or appointed either by the board of directors or by the shareholders at such time in such manner and for such terms and compensation as the by-laws may prescribe] Unless the articles or by-laws provide otherwise the board of directors shall elect or appoint and fix the compensation of such officers assistant officers and agents Such officers assistant officers and agents shall be elected or appointed at such time in such manner and for such terms as the by-laws shall prescribe It shall not be necessary for the officers to be directors If the by-laws so provide any two or more offices may be held by the same person except the offices of president and secretary The board of directors may secure the fidelity of any or all of such officers by bond or otherwise Unless otherwise provided in the by-laws the board of directors shall have power to fill any vacancies in any office occurring from whatever reason All officers and agents of the corporation as between themselves and the corporation shall respectively have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the board of directors

Section 7 Article four of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 410 Indemnification of Directors Officers and Other Persons Unless the articles provide otherwise a business corporation shall have power to indemnify any and all of its directors or officers or former directors or officers or any person who may have served at its request as a director or officer of another corporation in which it owns shares of capital stock or of which it is a creditor against expenses actually and necessarily incurred by them in connection with the defense of any action suit or proceeding in which they or any of them are made parties or a party by reason of being or having been directors or officers or a director or officer of the corporation or of such other corporation except in relation to matters as to which any such director or officer or former director or officer or person shall be adjudged in such action suit or proceeding to be liable for negligence or misconduct in the performance of duty Such indemnification shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any by-law agreement vote of shareholders or otherwise

Section 8 Section five hundred eight of said act is hereby amended to read as follows

Section 508 Voting Shares Held By Corporation [a] Any corporation owning shares in another corporation may

vote the same by [its president] any of its officers or by proxy appointed by [him] any such officer unless some other person by resolution of its board of directors shall be appointed [to vote such share] its general or special proxy in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution] Shares of its own capital stock belonging to a corporation shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares for voting purposes at any given time but shares of its own capital stock held by it in a fiduciary capacity may be voted and shall be counted in determining the total number of outstanding shares at any given time

Section 9 Section five hundred nine of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (Pamphlet Laws 2828) is hereby further amended to read as follows

Section 509 Determination of shareholders of record unless the by-laws otherwise provide the board of directors may fix a time not [less] [than ten or] more than seventy days prior to the date of any meeting of shareholders or the date fixed for the payment of any dividend or distribution or the date for the allotment of rights or the date when any change or conversion or exchange of shares will be made or go into effect as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting or entitled to receive payment of any such dividend or distribution or to receive any such allotment of rights or to exercise the rights in respect to any such change conversion or exchange of shares In such case only such shareholders as shall be shareholders of record on the date so fixed shall be entitled to notice of and to vote at such meeting or to receive payment of such dividends or to receive such allotment of rights or to exercise such rights as the case may be notwithstanding any transfer of any shares on the books of the corporation after any record date fixed as aforesaid The board of directors may close the books of the corporation against transfers of shares during the whole or any part of such period and in such case written or printed notice thereof shall be mailed at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the corporation or supplied by him to the corporation for the purpose of notice While the stock transfer books of the corporation are closed no transfer of shares shall be made thereon Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of or vote at a shareholders' meeting Transferees of shares which are transferred on the books of the corporation within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting

Section 10 Section five hundred thirteen of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (Pamphlet Laws 1123) is hereby further amended to read as follows

Section 513 Informal action by shareholders except for the action required by subsection E of section eight or section three hundred nine of this act to be taken at a meeting of shareholders held after sixty days' notice [for increasing the authorized capital stock or indebtedness of a corporation] any action required by this act to be taken at a meeting of the shareholders of a corporation may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the corporation

Section 11 Section six hundred one and subsection B of section six hundred two of said act are hereby amended to read as follows

Section 601 Classes of Shares Every business corporation shall have power to create and issue one or more classes or kinds of shares any or all of which classes or kinds may consist of shares with par value or shares without par value with full limited or no voting rights and with

such designations preferences qualifications privileges limitations options conversion rights and other special rights as shall be stated or authorized in the articles Any shares subject to redemption shall be redeemable only pro rata or by lot or by such other equitable method as is selected by the board of directors Shares of a business corporation shall be deemed personal property Except as otherwise provided by the articles each share shall be in all respects equal to every other share Unless the articles or by-laws otherwise provided the board of directors shall have the power by resolution duly adopted to issue from time to time in whole or in part the kinds or classes of shares authorized in the articles The power to increase or decrease or otherwise adjust the stated capital of a corporation as in this act elsewhere provided shall apply to all or any such classes or kinds of shares authorized by this section

#### Section 602 Issuance of Certain Shares in Series

B If the articles shall expressly vest authority in the board of directors then to the extent that the articles shall not have established series and fixed and determined the variations in the relative rights and preferences as between series the board of directors shall have authority by resolution to divide any or all of such classes into series and within the limitations set forth in this section fix and determine the relative rights and preferences of any series so established and to change redeemed or reacquired shares of one series thereof into shares of another series Such authority of the board of directors shall be subject to such limitation if any as are stated in the articles and shall always be subject to the limitation that the board of directors shall not create a sinking fund in respect of any series unless provision for a sinking fund at least as beneficial to all issued and outstanding shares of the same class shall either then exist or be at the same time created

Section 12 Subsection C of section seven hundred five and subsection C of section seven hundred six of said act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (Pamphlet Laws 636) are hereby further amended to read as follows

#### Section 705 Redemption and Cancellation of Shares

C The statement shall be delivered to the Department of State either prior to or within thirty days after the date of such redemption and cancellation [together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law] If the Department of State finds that the statement conforms to law [and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form] it shall upon payment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement The filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

#### Section 706 Reduction of Stated Capital Without Change in Share Structure

C The statement shall be delivered to the Department of State [together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law] If the Department of State finds that such statement conforms to law [and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form] it shall upon payment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representa-

tive a copy of the approved statement Upon the filing of such statement the reduction shall be effective

Section 13 Article seven of said act is hereby amended by adding at the end thereof a new section to read as follows

#### Section 708 Cancellation of shares acquired by corporation

A Whenever any business corporation shall have acquired any shares of any class of its own capital stock either pursuant to the power granted it by subdivision (7) of section 302 of this act or by the surrender of such shares to the corporation on the conversion thereof into or the exchange thereof for other shares pursuant to its articles of incorporation it may by resolution of its board of directors cancel any or all of such shares if the resolution so provides such corporation may thereby reduce the number of shares of the class so cancelled which the corporation is authorized to issue by the number of shares so cancelled if the articles of incorporation prohibit the reissue of such shares such resolution shall so provide such corporation may apply to such cancellation an amount out of its stated capital which shall not be greater than that portion of the stated capital represented by such shares at the time of such cancellation and the stated capital of the corporation shall be deemed to be reduced to this extent

B In every such case a statement of cancellation shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation and the address of its registered office

(2) The aggregate number of shares which the corporation had authority to issue itemized by classes and series

(3) The number of shares canceled itemized by classes and series

(4) A copy of the resolution of the board of directors directing such cancellation which shall recite either the provision of the articles of incorporation prohibiting the reissue of such shares or the absence of such provision

(5) The number of shares which the corporation has authority to issue itemized by classes and series after giving effect to such cancellation

(6) A statement of the aggregate number of issued shares itemized by classes par value of shares shares without par value and series if any within a class after giving effect to such cancellation

(7) A statement expressed in dollars of the amount of stated capital and the amount of the paid-in surplus of the corporation after giving effect to such cancellation

(8) Either a statement that at the time or times when the shares cancelled were acquired by the corporation the net assets of the corporation were not less than its stated capital and that their acquisition did not reduce its net assets below its stated capital or a statement that he cancelled shares were surrendered to the corporation on the conversion thereof into or the exchange thereof for other shares pursuant to its articles of incorporation

c That statement shall be delivered to the Department of State within thirty days after the adoption of the resolution aforesaid If the Department of State finds that the statement conforms to law it shall endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement If the resolution aforesaid provided for a reduction in the number of shares which the corporation is authorized to issue the filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so cancelled which the corporation is authorized to issue by the number of shares so cancelled otherwise the shares so cancelled shall upon such filing have the status of authorized but unissued shares Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

#### Section 14 Sections eight hundred one and eight hun-

dred two of said act are hereby amended to read as follows.

Section 801 Amendment of Articles Authorized A business corporation in the manner hereinafter provided in this article may from time to time amend its articles

(1) To adopt a new name subject to the restrictions heretofore provided in this act

(2) To modify any provision thereof limiting its term of existence by increasing such term or to remove such provision and provide for perpetual existence

(3) To change add to or diminish its powers or purposes or to set forth different or additional powers or purposes

(4) To increase or diminish its authorized capital stock or to reclassify the same by changing the number par value designations preferences or relative participating optional or other special rights of the shares or the qualifications limitations or restrictions of such rights or by changing shares with par value into shares without par value or shares without par value into shares with par value either with or without increasing or decreasing the number of shares [and in any and as many other respects as desired provided that the articles as so amended would be authorized by this act as original articles of incorporation]

(5) In any and as many other respects as desired provided that the articles as so amended would be authorized by this act as original articles of incorporation

Section 802 Proposal of Amendments Every amendment to the articles shall [first] be proposed by either the board of directors by the adoption of a resolution setting forth the proposed amendment [and directing] or by petition of the holders of not less than ten per cent of the shares entitled to vote thereon setting forth the proposed amendment which petition shall be directed to and filed with the board of directors In either case the board of directors shall direct that it be submitted to a vote of the shareholders entitled to vote thereon at a designated meeting which may be either an annual meeting of the shareholders or a special meeting of the shareholders entitled to vote on the amendment The resolution or petition shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution or petition be added to or stricken from the articles

Section 15 Section eight hundred three of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (Pamphlet Laws 2828) is hereby further amended to read as follows

Section 803 Notice of shareholders' meetings Written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering proposed amendments be given to each shareholder of record except [the written notice of any proposed amendment for increasing the authorized capital stock of the corporation (where such increase will involve an increase in the stated capital or paid-in surplus or both) shall be given to each shareholder of record at least sixty days before such meeting] that such notice shall be given sixty days before meetings called to consider proposals sixty days' notice of which is required by section eight E of this act such notice shall set forth the proposed amendment or a summary of the changes to be effected thereby

Section 16 Section eight hundred six of said act is hereby amended to read as follows

Section 806 Articles of amendment after an amendment has been adopted by the shareholders Articles of amendment shall be executed under the seal of the corporation and verified by two duly authorized officers of the corporation and shall set forth

(1) The name and location of the registered office of the corporation

(2) The act of assembly under which the corporation

was formed and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the shareholders of the corporation at which the amendment was adopted and the kind and period of notice given to the shareholders

(4) The number of shares outstanding the number of shares entitled to vote on the amendment and if the shares of any class are entitled to vote as a class then the number of shares of each class and the number of shares of all other classes entitled to vote thereon

(5) The number of shares voted for and against such amendment respectively and if shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against such amendment respectively

(6) The amendment adopted by the shareholders which shall be set forth in full

(7) If the total number of shares is to be increased or decreased the total number of shares including those previously authorized which the corporation will thenceforth be authorized to have the number of shares that have a par value thereof and the number of shares that have no par value and if shares are divided into more than one class A description of the classes and a statement of the number of shares in each class and of the relative rights voting powers preferences and restrictions granted to or imposed upon the shares of each class

Section 17 Section eight hundred seven of said act as amended by the act approved the second day of May one thousand nine hundred forty-seven (Pamphlet Laws 137) is hereby further amended to read as follows

Section 807 Advertisement Before or after an amendment has been adopted by the shareholders the corporation shall advertise its intention to file articles of amendment with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation advertisements shall appear at least three days prior to the day upon which the articles of amendment are presented to the Department of State and shall set forth briefly

(1) The name and location of the registered office of the corporation

(2) A statement that the articles of amendment are to be filed under the provisions of this act

(3) The nature and character of the proposed amendment

(4) The time when the articles of amendment will be filed with the Department of State

Section 18 Sections eight hundred nine nine hundred two and nine hundred three of said act are hereby amended to read as follows

Section 809 Effective Date of Amendment Upon the [issuance] approval of the [certificate] articles of amendment by the Department of State the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action in favor of or against the corporation or any pending suit in which the corporation shall be a party or the existing rights of persons other than shareholders and in the event the corporate name shall be changed by the amendment no suit brought by or against the corporation under its former name shall be abated for that reason

Section 902 Approval of Joint Plan of Merger or Consolidation A The board of directors of each of the domestic corporations which desire to merge or consolidate shall by resolution adopted by at least a majority vote of all the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and mode of carrying the same into effect the manner and basis of converting the shares of each corporation into shares or other securities or obligations of the surviving

or new corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each domestic corporation upon approving such plan of merger or plan of consolidation shall by resolution direct that the plan be submitted to a vote of the shareholders of such corporation entitled to vote thereon at an annual or special meeting of the shareholders. Written notice shall not less than ten days before such annual or special meeting be given to each shareholder of record of such corporation whether or not entitled to vote on such plan unless the plan of merger or plan of consolidation contemplates an increase in the aggregate of the authorized capital stock of the constituent corporations in which event sixty days' notice of such meeting shall be given to each shareholder. The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice.

C The plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least the majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating domestic corporations unless any class of shares of any of such corporations is entitled to vote thereon as a class in which event as to such corporation the plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote thereon as a class and the affirmative vote of the holders of at least a majority of all outstanding shares entitled to vote thereon.

D The plan of merger or consolidation shall be authorized adopted or approved by each of the foreign corporations which desire to merge or consolidate in accordance with the laws of the jurisdiction in which it was formed.

Section 903 Articles of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the [shareholders of the] corporations desiring to merge or consolidate as provided in the preceding section articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation signed and verified by two duly authorized officers of each corporation and shall set forth

(1) The name and the location of the registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with such state

(2) The time and place of the meeting of the shareholders of each domestic corporation at which the plan of merger or consolidation as the case may be was adopted the kind and period of notice given to the shareholders and the total vote by which the plan was adopted

(2.1) The fact that the plan of merger or consolidation was authorized adopted or approved as the case may be by each of the foreign corporations in accordance with the laws of the jurisdiction in which it was formed

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation if the new corporation be a domestic corporation all of the statements required by this act to be set forth in original articles in the case of the formation of a corporation

(4) The number names and addresses of the persons to be the first directors of the surviving or new corporation

(5) The plan of merger or consolidation

(6) If the surviving or new corporation is to be a foreign corporation a designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of such corporation upon whom may be served all lawful process in any action or proceeding against it for enforcement against it of any obligation of any constituent domestic corporation or any obligation arising from the merger or consolidation proceedings or any action or proceeding to determine and enforce the rights of any shareholder under the provisions of section nine hundred eight of this act and an agreement that the

service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on such corporation and that the authority for such service of process shall continue in force as long as any of the aforesaid obligations and rights remain outstanding in this Commonwealth

Section 19 Section nine hundred four of said act as last amended by the act approved the second day of May one thousand nine hundred forty-seven (Pamphlet Laws 141) is hereby further amended to read as follows

Section 904 Advertisement [Each] The constituent [corporation subject to the provisions of this act] domestic corporations shall advertise [its intention] their intentions to file articles of merger or articles of consolidation as the case may be with the Department of State in newspapers published in the counties in which the registered offices of the corporations are located in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation. Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

(1) The name and the location of the registered office of each of the corporations intending to merge or consolidate

(2) The name and the location of the proposed registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with the state

(5) The time when the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new corporation

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 20 Section nine hundred five of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (Pamphlet Laws 636) is hereby further amended to read as follows

Section 905 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State except that no such certificates shall be required of the surviving corporation in cases of merger. If the Department of State finds that such articles conform to law and that the certificate or certificates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and file the articles and issue to the surviving or new corporation or its representative a certificate of merger or a certificate of consolidation as the case may be to which shall be attached a copy of the approved articles

Section 21 Sections nine hundred six and nine hundred seven of said act are hereby amended to read as follows

Section 906 Effective Date of Merger or Consolidation Upon the [issuance] approval of the [certificate] articles or merger or the [certificate] articles of consolidation by the Department of State the merger or consolidation shall be effective. The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving corporation except as against the Commonwealth. The merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but

not until articles of merger or articles of consolidation have been adopted and filed as heretofore provided in this act

Section 907 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single corporation which in the case of a merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of a consolidation shall be the new corporation provided for in the plan of consolidation. The separate existence of all corporations parties to the plan of merger or consolidation shall cease except that of the surviving corporation in the case of a merger. The surviving or new corporation as the case may be if it be a domestic corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise. All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions to shares and other choses in action belonging to any of them shall be taken and deemed to be transferred to and vested in the surviving or new corporation as the case may be without further act or deed. The surviving or new corporation shall thenceforth be responsible for all the liabilities and obligations of each of the corporations so merged or consolidated but the liabilities of the merging or consolidating corporations or of their shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place. In the case of a merger the articles of incorporation of the surviving corporation shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements which are set forth in the articles of consolidation and if the new corporation be a domestic corporation which are required or permitted to be set forth in the articles of incorporation of corporations formed under this act shall be deemed to be the articles of incorporation of the new corporation. The aggregate amount of the net assets of the merging or consolidating corporations which was available for the payment of dividends immediately prior to such merger or consolidation to the extent that the value thereof is not transferred to stated capital by the issuance of shares or otherwise shall continue to be available for the payment of dividends by such surviving or new corporation.

Section 22 Subsection A and B of section nine hundred eight of said act as amended by the act approved the thirty-first day of March one thousand nine hundred forty-one (P. L. 13) are hereby further amended to read as follows

Section 908 Rights of Dissenting Shareholders A If any shareholder of a domestic corporation which becomes a party to a plan of merger or consolidation shall file with such corporation prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall also make written demand on the surviving or new corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new corporation shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates repre-

senting his shares. The demand of the shareholder shall state the number and class of the shares owned by him. Unless a shareholder files such written objection and also makes such demand within the twenty-day period he shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof. If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon between the dissenting shareholder and the surviving or new corporation payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or certificates representing his shares. Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the corporation.

B If within such period of thirty days the shareholder and the surviving or new corporation do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the surviving or new corporation is situated if it be a domestic corporation or if it be a foreign corporation to the court of common pleas in equity within the county in which was situated the registered office of the corporation of which such petitioner was a shareholder which shall be deemed to be the county in which the cause of action of such petitioner arose and all process in such proceedings shall be served upon the surviving or new foreign corporation as provided in section one thousand eleven of this act for the appointment by the court of three disinterested persons to appraise the fair value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation. The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive. The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the surviving or new corporation unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary vexations or in bad faith in which case the costs shall be assessed in the discretion of the court. The award shall be payable only upon and simultaneously with the surrender to the surviving or new corporation of the share certificate or certificates representing the shares of the dissenting shareholder. If the award shall not be paid by the surviving or new corporation within thirty days after the order of the court thereon the amount of the award shall be a judgment against the surviving or new corporation as the case may be and may be collected as other judgments in such court are by law collectible. Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new corporation. Such shares may be held and disposed of by the surviving or new corporation as it may see fit. Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof.

Section 23 Article nine of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 909 Domestication of Foreign Corporations A Any foreign business corporation holding a certificate of authority to do business in this Commonwealth may become a domestic corporation of this Commonwealth by delivering or causing to be delivered to the Department of State articles of domestication. If the Department of State finds that the articles conform to law it shall forthwith endorse its approval thereon and when all bonus fees and charges have been paid as required by law shall file the articles and issue to the foreign corporation a certificate of domestication to which shall be attached a copy of the articles. The articles upon being approved

and filed by the Department of State shall constitute the charter of the domesticated foreign corporation and it shall thereafter have all the powers and privileges and be subject to all the duties and limitations granted and imposed upon domestic corporations under the provisions of this act

B If such articles are for the domestication of a foreign business corporation for the transaction of any business in which a corporation may not engage without the approval of or a license from any department board or commission of the Commonwealth the Department of State shall upon the approval of the certificate of domestication promptly certify the fact of such domestication to each such department board or commission setting forth the name of the corporation and post office address of the initial registered office in this Commonwealth the date of approval of the certificate of demonstration the purpose or purposes for which the corporation is organized and the names and addresses of the then officers of such corporation

C The articles of domestication shall be signed and acknowledged by the president of the corporation attested by its secretary with its corporate seal thereto affixed and shall set forth in the English language

(1) The name of the corporation unless the name is in a foreign language in which case it shall be set forth in English letters or characters

(2) The location and post office address of its initial registered office in this Commonwealth

(3) A statement of the purpose or purposes for which the corporation was organized and that upon domestication it will be subject to the provisions of this act

(4) The term for which it was originally incorporated and the term for which upon domestication it is to exist which may be perpetual

(5) The aggregate number of shares which the corporation under its foreign charter is authorized to issue the number of shares issued and outstanding thereof and the par value of each of the shares or a statement that all of the shares are without par value or if such shares are divided into classes the number of shares if any that have a par value and the par value of each share of each such class the number of shares of each class if any that are without par value and the number of shares issued and outstanding of each such class

(6) If the shares are divided into classes a description of each class and a statement of the preferences qualifications limitations restrictions and the special or relative rights granted to or imposed upon the shares of each class

(7) If the corporation is authorized to issue the shares of any preferred or special class in series a description of each series and a statement of the variations in the relative rights and preferences as between different series in so far as the same are fixed in the original articles of incorporation and a statement of any authority vested in the board of directors to establish series and fix and determine the variations in the relative rights and preferences as between series

(8) The value of property with which the corporation will begin business upon domestication

(9) The names of the present directors and their post office addresses including street and number if any

(10) The names and post office addresses including street and number if any of the present officers

(11) A statement of the legislation under which it was originally incorporated

Said articles shall be accompanied by a resolution duly certified by the secretary of the corporation adopted by a majority of the stockholders entitled to vote at any regular or special meeting of the corporation consenting to the filing of the articles of domestication and the renunciation of its original charter or articles

Section 24 Clause (7) of section one thousand four of said act is hereby amended to read as follows

Section 1004 Application for a Certificate of Authority The foreign business corporation or its representative shall deliver to the Department of State a copy of its articles and all amendments thereto duly certified by the

proper public officer of the state or county of its incorporation or if the corporation is created by a special law and has no articles a duly certified copy of such law a verified translation of any part of such articles amendments or law which is in a foreign language proof of the advertisement heretofore required by this article and an application for a certificate of authority executed under the seal of the corporation and signed and verified by at least two duly authorized officers thereof which shall set forth

\* \* \* \* \*

(7) [The character and nature of the business it proposes to do within this Commonwealth] A brief statement of the business it proposes to do within this Commonwealth

Section 25 Section one thousand five of said act as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (Pamphlet Laws 2828) is hereby further amended to read as follows

Section 1005 Issuance of Certificate of Authority A If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate to do business in this Commonwealth it shall forthwith but not prior to the day specified in the advertisement heretofore required in this article endorse its approval upon the application for a certificate of authority and when all bonus fees and charges have been paid as required by law shall file the application and the copy of articles and shall issue to the corporation a certificate of authority to do business in this Commonwealth. The certificate of authority shall set forth the name of the corporation the address of its registered office in this Commonwealth and the character and nature of the business it is authorized to transact in this Commonwealth or a summary thereof Upon the issuance approval of the application for a certificate of authority by the Department of State the corporation may do in this Commonwealth any or all kinds of the business referred to in the certificate of authority and no other subject however to the right of the Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be delivered to the corporation or its representative

B If the applicant corporation desires to transact any business in which a corporation may not engage without the approval of or license from any department board or commission of the Commonwealth the Department of State shall upon the [issuance] approval of the application for a certificate of authority promptly certify the fact of [the] such [issuance] approval [of such certificate of authority] to each department board or commission setting forth the name of the corporation the name of the state or country under the laws of which it is formed the address of the proposed registered office in this Commonwealth the general character of the business it proposes to transact within Pennsylvania and the date of [issuance] approval of the application for a certificate of authority

Section 26 Subsections A and C of section one thousand seven of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (Pamphlet Laws 937) are hereby further amended to read as follows

Section 1007 Amended Certificate of Authority

A After receiving a certificate of authority a foreign business corporation may subject to the provisions of this act change its name or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority together with a copy of the amendment merger or change of name duly authenticated by the proper official of the state or county under the laws of which such corporation is organized and proof of the advertisement hereinafter required by this section [and] a certificate or certificates from the proper department or departments of this Commonwealth evidencing payment by the corporation of all bonus taxes and charges as required by law] Such application shall be executed under the seal of the corporation signed and verified by two duly authorized officers

thereof and shall set forth the changes desired by the corporation

C If the Department of State finds that the provisions of this article have been complied with [that the certificate evidencing payment of bonus taxes and charges is in proper form] and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application and file the application and issue to the applicant corporation an amended certificate of authority setting forth the desired changes

Section 27 Section one thousand nine of said act as amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 937) is hereby further amended to read as follows

Section 1009 Merger or Consolidation of Foreign Business Corporations A Whenever a foreign business corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party to a statutory merger or consolidation permitted by the laws of the state or country under which it is organized and such corporation shall be the surviving corporation it shall forthwith file with the Department of State a copy of the articles of merger duly authenticated by the proper officer of the state or county under the laws of which such statutory merger was effected and pay to the Department of State the prescribed fee for such filing It shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this Commonwealth unless the name of such corporation be changed thereby or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth

Section 28 Section one thousand eleven point one of said act as added by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 703) is hereby amended to read as follows

Section 1011.1 Subpoena to Foreign Corporations to Produce Records Service Any court having civil or criminal jurisdiction in any county of the Commonwealth may issue its subpoena with clause of duces tecum upon any foreign corporation registered to do business within the Commonwealth under this act directing such foreign corporation its proper officers agents or employees to produce before such court having jurisdiction any books papers records or documents in the possession of such foreign corporation as shall be designated in such subpoena Such subpoena with clause of duces tecum may be served upon such foreign corporation in the manner provided by this act for the service of process upon foreign corporations

Section 29 Section one thousand one hundred one of said act as last amended by the act approved the second day of May one thousand nine hundred forty-seven (P. L. 139) is hereby further amended to read as follows

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business or which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of the corporation signed and verified by a majority of the incorporators and shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of its registered office
- (3) The date of its incorporation
- (4) That the corporation has not commenced business and that none of its shares has been issued
- (5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

- (6) That no debts of the corporation remain unpaid
- (7) That all the incorporation elect that the corporation be dissolved

The articles of dissolution shall be delivered to the Department of State If the Department of State finds that the articles conform to law it shall upon payment of the filing fee endorse its approval thereon and shall file the articles and issue a certificate of dissolution to the incorporators or their representative to which shall be attached a copy of the approved articles Upon the issuance of the certificate approval of the article of dissolution the existence of the corporation shall cease

Section 30 Section one thousand one hundred five of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 630) is hereby further amended to read as follows

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provision shall have been made therefor and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be executed under the seal of the corporation and signed and verified by two duly authorized officers of the corporation which shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of the registered office of the corporation
- (3) A statement that the corporation has theretofore delivered to the Department of State a certificate of election to dissolve and the date on which the certificate was filed by the Department of State
- (4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provision has been made therefor
- (5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests
- (6) A statement that there are no suits pending against the corporation in any court or that adequate provision has been made for the satisfaction of any judgment or decree which may be obtained against the corporation in each such pending suit

The articles of dissolution proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that such articles conform to law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and shall file the articles and issue to the corporation or its representative a certificate of dissolution to which shall be attached a copy of the approved articles Upon the issuance of the certificate approval of the articles of dissolution the existence of the corporation shall cease

Section 31 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose.
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,

Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenschild,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendenning,	Hewitt,	Needham,	Tompkins,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Polen,	Weiss,
Duffy,	Keller,	Pfaff,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of the Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 530

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee between the two Houses on Senate Bill numbered and entitled as follows:

#### SENATE BILL No. 530.

An Act to amend section ten of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" by increasing the minimum annual salaries of associate judges not learned in the law

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 530

Mr. TOMPKINS. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 530.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 530, entitled: "An act to amend section ten of the act approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1410) entitled 'An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith', or increasing the minimum annual salaries of associate judges not learned in the law."

Respectfully submit the following bill as our report:

GEORGE B. STEVENSON,  
SAMUEL B. WOLFE,  
SAMUEL G. NEFT,  
(Committee on the Part of the Senate.)

CHESTER A. COLEMAN,  
EDWIN W. TOMPKINS,  
IVAN C. WATKINS,

(Committee on the Part of the House of Representatives)

An Act to amend section ten of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the Courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" by increasing the minimum annual salaries of associate judges not learned in the law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" is hereby amended to read as follows

Section 10 The salaries or compensation of the associate judges not learned in the law of the courts of this Commonwealth shall be as follows each such associate judge shall receive six dollars (\$6) per day for every day he may be employed in the discharge of his official duties Provided That the salary of no such associate judge shall be less than [seven hundred twenty dollars (\$720)] one thousand two hundred dollars (\$1200) annually each of said judges shall continue to be entitled to mileage as now provided by existing law

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCullough,	Royer,
Barkdoll,	Gibson,	McCormack,	Sarrafi,
Baumunk,	Glembocki,	McGee,	Sax,

Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. M.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varnas,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erbe,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, E. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reese,	Yaffe,
Filo,	Kratz,	Reidenbach,	Yeakel,
Firmstone,	Kurtz,	Relly, J. M.,	Yester,
Flack,	Lederer,	Reynolds,	Yetzer,
Fleming,	Lee,	Riley, R. L.,	Young,
Floyd,	Leisey,	Robbins,	Ziegler,
Fox,	Leonard,	Robertson,	Sorg,
Frank,	Limper,		

Speaker

## NAYS—1

Reagan,

## NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGES

## AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

## SENATE BILL No. 909

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

## SENATE BILL No. 983

An Act to amend the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1198)

entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method regulating such mining and providing penalties" by further regulating the mining of bituminous coal by the open pit mining method

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## SENATE BILL No. 105

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain department boards and commissions shall be determined" by changing the salaries of certain officers of the Commonwealth

## SENATE BILL No. 456

An Act to amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by temporarily providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products.

## SENATE BILL No. 663

An Act authorizing the compromise and arbitration of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto

## SENATE BILL No. 688

An Act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the

laws administered by the Secretary of Highways and by one procedure for changing altering or establishing the the Department of Highways relating thereto" establishing width lines locations or grades of State highways in townships and boroughs and incorporated towns

#### SENATE BILL No. 703

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," by excluding auctioneers of land from the definition of real estate broker or salesman.

#### SENATE BILL No. 732

An Act to amend part of section two of the act approved the second day of July one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lieu of the tax and distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on condition counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations" by further defining "public highways"

#### SENATE BILL No. 776

An Act to further amend clause nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "Original member" to include certain additional employees

#### SENATE BILL No. 896

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions for the classification of school districts.

#### SENATE BILL No. 897

An Act to further amend subsection A of section one thousand twelve of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or with-

out fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing banks and trust companies to make loans on security of bonds secured by mortgages upon real property situated within the Commonwealth when said mortgages are insured by the United States Department of Agriculture.

#### SENATE BILL No. 909

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation

#### SENATE BILL No. 963

An Act to amend subsection (b) of section one thousand three hundred seventy-six and subsection (b) of section one thousand three hundred seventy-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school systems including certain provisions applicable as well to private and parochial schools amending revising consolidatin and changing the laws relating thereto" by authorizing payments by the Commonwealth for instruction of parents of certain blind children in caring for such children

#### SENATE BILL No. 983

An Act to amend the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1198) entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method regulating such mining and providing penalties by further regulating the mining of bituminous coal by the open pit mining method

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### RED LION HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House a delegation of students from the Biology Club, Red Lion High School, York County, under the supervision of their teacher Prof. N. E. Shoemaker, immediate past President of P. S. E. A. They are the guest of the gentleman from York, Mr. Goodling.

#### DISCHARGE OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 349

Mr. BRUNNER. Mr. Speaker, I am directed to report that the Committee of Conference on the part of the House cannot agree on the differences existing between the House and the Senate on House Bill No. 349, Printer's No. 53, and move that the Committee be discharged.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I ask to have the majority Leader identify the bill further than simply by number.

Mr. BRUNNER. Mr. Speaker, in reply to the gentleman, may I say that this is the malt beverage tax.

Mr. ANDREWS. Mr. Speaker, we oppose the motion to discharge and would ask for a roll call.

Mr. BRUNNER. I would like to call the attention of the Members to the fact that the motion is to discharge the committee, and I respectfully request that the Members support this motion.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Andrews and Mr. Westrick and were as follows:

## YEAS—105

Altshuler,	Fleming,	Kohl,	Robertson,
Barkdoll,	Fox,	Kratz,	Royer,
Baumunk,	Frank,	Kurtz,	Sax,
Bednarek,	Frost,	Lelsey,	Scott,
Blair,	Gallagher,	Loftus,	Shoemaker,
Bomberger,	George,	McCormack,	Smith, C. C.,
Boorse,	Gibson,	McCullough,	Sollenberger,
Bower,	Goodling,	McKinney,	Stimmel,
Breisch,	Graybill,	McMillen,	Stuart,
Brice,	Green,	Mikula,	Tahl,
Brunner,	Greenwood,	Miller,	Tompkins,
Clapper,	Greer,	Milliken,	Toomey,
Clendening,	Guthrie,	Mintess,	Varner,
Costa,	Hall,	Moore, C. E.,	Wachhaus,
Dalrymple,	Haudenschild,	Moore, H. A.,	Wagner,
DeLong,	Heim,	Najaka,	Waterhouse,
Dennison,	Herman,	Neff,	Watkins,
Depuy,	Hewitt,	O'Dare,	Weidner,
Driscoll,	Hocker,	O'Donnell,	Wescott,
Dye,	Hoffman,	Orban,	Wood,
Elder,	Jennings,	Price, H. W. Jr.,	Yaffe,
Erb,	Johnson,	Propert,	Yeakel,
Ewing,	Jump,	Reagan,	Young,
Felton,	Keller,	Reilly, J. M.,	Ziegler,
Ferster,	Kemp,	Riley, R. L.,	Sorg,
Firmstone,	Kent,	Robbins,	Speaker
Flack,	Kline,		

## NAYS—73

Andrews,	Hagerty,	Mihm,	Rosen,
Bane,	Hamilton,	Mills,	Rovanssek,
Beaver,	Harris,	Monroe,	Sarra,
Brandon,	Heatherington,	Moran,	Scanlon,
Brown, H. S.,	Hersch,	Munley,	Schmidt,
Bucchin,	Hunter,	Nagel,	Smith, W. B.,
Cole,	Jenkins,	Needham,	Snider,
Coleman,	Jim,	Penglase,	Stank,
Conway,	Jones, G. E.,	Peta,	Sternberg,
Dougherty,	Jones, J. M.,	Petrosky,	Swope,
Duffy,	Kamyk,	Pettigrew,	Taylor,
Evans,	Kirley,	Pfaff,	Varallo,
Filo,	Kondrath,	Posta,	Wargo,
Floyd,	Lederer,	Price, R. A.,	Welsh,
Gaffney,	Limper,	Readinger,	Westrick,
Glembocki,	Lovett,	Reese,	Wheeler,
Good,	McGee,	Reidenbach,	Worley,
Guarnieri,	McNally,	Reynolds,	Yester,
			Yetzer,

## NOT VOTING—30

Amarando,	Harney,	Musto,	Schuster,
Bloom,	Hoggard,	Nixon,	Seyler,
Boles,	Kolankiewicz,	Olsen,	Spencer,
Breth,	Krize,	Pentrack,	Thompson,
Brown, W. E.,	Lee,	Polen,	Verona,
Cadwalader,	Leonard,	Powers,	Weiss,
Cochran,	Madigan,	Rose,	Williams,
Cooper,	Murray,		

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I move that the House insist upon its nonconcurrence in the amendments made and insisted upon by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGES

## HOUSE BILLS CONCURRED IN BY THE SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 200

An Act establishing a State Institution Employees' and Pennsylvania Liquor Control Board Officers' Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by employees of certain Pennsylvania State Institutions and officers of the Pennsylvania Liquor Control Board and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial process making an appropriation and providing penalties

With the information that the Senate recedes from its amendments non-concurred in by the House.

SENATE ADOPTS CONFERENCE COMMITTEE  
REPORT ON SENATE BILL No. 585

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

## SENATE BILL No. 585

An Act authorizing certain officers in cities of the first class and in school districts of the first class conterminous therewith to abate penalties and interest on unpaid city and school real estate taxes under certain conditions

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL NO. 585

Mr. CHARLES C. SMITH. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 585.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 585, entitled: "An act authorizing certain officers in cities of the first class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class and in school districts of the first class under certain conditions."

Respectfully submit the following bill as our report:

LOUIS H. FARRELL,  
A. EVANS KEPHART,  
ANTHONY J. DiSILVESTRO,  
(Committee on the part of the Senate)

CHARLES C. SMITH,  
FRANK A. COSTA,  
H. G. ANDREWS,

(Committee on the part of the House of Representatives)

An Act authorizing certain officers in cities of the first class and in school districts of the first class coterminous therewith to abate penalties and interest on unpaid city and school real estate taxes under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All penalties and interest imposed on delinquent city and school real estate taxes in cities of the first class and in school districts of the first class coterminous therewith for the tax year one thousand nine hundred and forty-eight and for all previous tax years shall be abated if the controller treasurer and receiver of taxes in a city of the first class and the school district of the first class coterminous therewith are unanimously of the opinion that the total of the taxes plus accrued penalties and interest exceeds the market value as of the thirty-first day of December one thousand nine hundred forty-eight of the real property for which an abatement is requested

Section 2 No abatement of penalties and interest shall be allowed unless the owner or lienholder petitions the officers set forth in section one hereof for an abatement on or before the fifteenth day of September one thousand nine hundred forty-nine and pays all of his delinquent real estate taxes less penalties and interest within thirty (30) days after said officers find as a fact that the value of the said real estate is less than the total of taxes penalties and interest as of the aforesaid date

Section 3 In order to receive the benefits of this act the one thousand nine hundred forty-nine taxes on the said real estate must be paid during the calendar year one thousand nine hundred forty-nine

Section 4 This act shall be construed to apply to all city and school real estate taxes whether or not liens for such taxes have been filed in the office of the prothonotary of the county or any proceedings for the collecting of such taxes have been instituted in any court

Section 5 All other acts or parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 6 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,  
Amarando,  
Andrews,  
Bane,  
Barkdoll,  
Baumunk,  
Beaver,  
Bednarek,  
Blair,  
Bloom,  
Boles,  
Bomberger,  
Boorse,  
Bower,  
Brandon,  
Brelsch,  
Breth,  
Brice,  
Brown, H. S.,  
Brown, W. E.,  
Brunner,  
Bucchin,  
Cadwalader,  
Clapper,

Frost,  
Gaffney,  
Gallagher,  
George,  
Gibson,  
Glembockl,  
Good,  
Goodling,  
Graybill,  
Green,  
Greenwood,  
Greer,  
Guarnieri,  
Guthrie,  
Hagerty,  
Hall,  
Hamilton,  
Harney,  
Harris,  
Haudensfield,  
Heatherington,  
Helm,  
Herman,  
Hersch,

Loftus,  
Lovett,  
Madigan,  
McCormack,  
McCullough,  
McGee,  
McKinney,  
McMillen,  
McNally,  
Mihm,  
Mikula,  
Miller,  
Milliken,  
Mills,  
Mintess,  
Monroe,  
Moore, C. E.,  
Moore, H. A.,  
Moran,  
Munley,  
Murray,  
Musto,  
Nagel,  
Najaka,

Rose,  
Rosen,  
Rovanssek,  
Royer,  
Sarraf,  
Sax,  
Scanlon,  
Schmidt,  
Schuster,  
Scott,  
Seyler,  
Shoemaker,  
Smith, C. O.,  
Smith, W. B.,  
Snider,  
Sollenberger,  
Spencer,  
Stank,  
Sternberg,  
Stimmel,  
Stuart,  
Swope,  
Tahl,  
Taylor,

Glendenning,  
Cochran,  
Cole,  
Coleman,  
Conway,  
Cooper,  
Costa,  
Dalrymple,  
DeLong,  
Dennison,  
Depuy,  
Dougherty,  
Driscoll,  
Duffy,  
Dye,  
Elder,  
Erb,  
Evans,  
Ewing,  
Felton,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Fleming,  
Floyd,  
Fox,  
Frank,  
Hewitt,  
Hocker,  
Hoffman,  
Hoggard,  
Hunter,  
Jenkins,  
Jennings,  
Jim,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jump,  
Kamyk,  
Keller,  
Kemp,  
Kent,  
Kirley,  
Kilne,  
Kohl,  
Kolankiewicz,  
Kondrath,  
Kratz,  
Kurtz,  
Lederer,  
Lee,  
Lelsey,  
Leonard,  
Limper,  
Needham,  
Neff,  
Nixon,  
O'Dare,  
O'Donnell,  
Orban,  
Penglase,  
Pentrack,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Polen,  
Posta,  
Powers,  
Price, H. W., Jr.,  
Price, R. A.,  
Probert,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Relly, J. M.,  
Reynolds,  
Riley, R. L.,  
Robbins,  
Robertson,

Thompson,  
Tompkins,  
Toomey,  
Varallo,  
Varner,  
Verona,  
Wachhaus,  
Wagner,  
Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Weiss,  
Welsh,  
Wescott,  
Westrick,  
Wheeler,  
Williams,  
Wood,  
Worley,  
Yaffe,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—1

Kris.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

### SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 796

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

#### SENATE BILL No. 796

An Act fixing the compensation and mileage of county auditors in counties of the sixth and seventh class

### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 796

Mr. KENT. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 796.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 796, entitled: "An act fixing the compensation and mileage of county auditors in counties of the sixth and seventh class."

Respectfully submit the following bill as our report:

GEORGE N. WADE,  
DONALD P. McPHERSON, JR.,  
FRANK W. RUTH,  
(Committee on the Part of the Senate.)

ROBERT F. KENT,  
HAROLD E. FLACK,  
JAMES D. COLE,  
(Committee on the part of the House of Representatives)

An Act fixing the compensation and mileage of county auditors in counties of the sixth and seventh class  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The county auditors in counties of the sixth and seventh class shall receive seven dollars fifty cents (\$7.50) for each day necessarily employed in the discharge of their duties together with six cents per mile circular from and to their homes once each and every day so employed

Section 2 The act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1634) entitled "An act fixing the compensation and mileage of auditors and jury commissioners in counties of the sixth class" is hereby repealed absolutely The act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of county auditors within this Commonwealth" is hereby repealed insofar as it is inconsistent with the provisions of this act

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarra,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Brelsach,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, O. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudensfield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Probert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

#### NAYS—0

#### NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGES

#### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the Senate numbered and entitled as follows:

#### SENATE BILL No. 575

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by authorizing the transfer of unneeded purchased supplies between departments boards and commissions.

With information that the Senate recedes from its amendments non-concurred in by the House.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

#### SENATE BILL No. 978

An Act to amend the title and the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violation of the provisions thereof and repealing certain prior acts" by further regulating magistrates and magistrates' courts and practice increasing the salary of magistrates defining additional unlawful practices imposing duties upon the Attorney General and the District Attorney and repealing certain sections and inconsistent legislation

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## SENATE BILL No. 409

An act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees' defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending service allowance of certain employees and requiring contributions by school boards and vocational school boards

## SENATE BILL No. 689

An Act to further amend section five hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by eliminating the requirement that contractors file with the Commonwealth certified payrolls of work done under public works contracts

## SENATE BILL No. 917

An Act to amend the title and section one of the act, approved the twenty-third day of May, one thousand nine hundred forty-seven (P. L. 293) entitled, "An act permitting certain personnel of State owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases," by including managers of veterans administration hospitals within the provisions of the act.

## SENATE BILL No. 926

An Act authorizing the Secretary of Property and Supplies to sell and convey or to lease subject to certain terms and conditions a certain tract of land and a certain right of way in the Township of Upper Saint Clair, County of Allegheny, Pennsylvania.

## SENATE BILL No. 970

An Act authorizing the Department of Property and Supplies with the approval of the Governor and of the United States of America to sell at public sale to the highest bidder a part of certain real estate located in Dauphin

County recently acquired by the Commonwealth from the Reconstruction Finance Corporation

## SENATE BILL No. 978

An Act to amend the title and the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" by further regulating magistrates and magistrates' courts and practice increasing the salary of magistrates defining additional unlawful practices imposing duties upon the Attorney General and the District Attorney and repealing certain sections and inconsistent legislation

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

MR. WAGNER IN THE CHAIR.

## RESOLUTION

## PRINTING OF PRESENTATION CEREMONY

Mr. McMILLEN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 28, 1949.

Resolved, That the Chief Clerk of the House be directed to have printed the resolution of congratulation to the Speaker of the House introduced by the gentleman from Montgomery, Mr. Charles H. Brunner, Jr., on April 26, 1949, together with the remarks of the members of the House relating thereto, and be it further

Resolved, That a copy thereof be sent to each member of the House of Representatives.

THE SPEAKER (Herbert P. Sorg) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Somerset, Mr. Wagner, for presiding.

## URSINUS COLLEGE WELCOMED

The SPEAKER. The Chair welcomes to the House twelve students from Ursinus College, Montgomery County. The delegation is in Harrisburg for the purpose of attending the Intercollegiate Conference on Government. They are the guests of the gentleman from Montgomery, Mr. Brunner.

## RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for fifteen minutes. The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 28.

An Act to further amend sections four thousand three hundred twenty-four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three and four thousand three hundred twenty-four of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating the retirement of firemen on pensions and requiring certain payments to be made to the firemen's Pension Fund by cities.

## HOUSE BILL No. 200.

An Act establishing a State Institution Employees' and Pennsylvania Liquor Control Board Officers' Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by employees of certain Pennsylvania State Institutions and officers of the Pennsylvania Liquor Control Board and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes making an appropriation and providing penalties.

## HOUSE BILL No. 349.

An Act to further amend section three of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 284) entitled as amended "An act imposing a State tax, payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" increasing the rates of certain taxes for a further limited period of time

## HOUSE BILL No. 780.

An Act to further amend sections seven and eighteen of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by changing the definitions of

"week" and "day" and by deleting the wartime provisions increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provisions

## HOUSE BILL No. 1016.

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the definition of "tractor" and adding the definition "farm tractor" and further providing for the classification of and the annual registration fees for tractors

## HOUSE BILL No. 1073.

An Act to amend subsection five of section seven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by providing for determining the amount earnable by members of the General Assembly.

## HOUSE BILL No. 1291.

An Act to further amend subsection (a) of section nine of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and

mandatory and injunctive relief for the enforcement of the provisions of this act" by further providing for the determination of persons of low income

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### SENATE MESSAGE

#### HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 839.

An Act to amend section twelve of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" by providing for the right to designate beneficiaries after the time of retirement

With the information that the Senate has receded from its amendments non-concurred in by the House.

### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

#### HOUSE BILL No. 839.

An Act to amend section twelve of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" by providing for the right to designate beneficiaries after the time of retirement

Whereupon,

The SPEAKER, in the presence of the House signed the same.

### SENATE MESSAGES

#### SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 872

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

#### HOUSE BILL No. 872.

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of

ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and prevailing for the acceptance of this act by cities" by providing for annual assessments abolishing triennial assessments providing for fixing of salaries of subordinate assessors limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made and making assessments applicable to taxation for institution district purposes and providing for the preparation of duplicates

#### SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 394

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

#### HOUSE BILL No. 394.

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class and amending, revising, consolidating and changing the law relating thereto," changing the compensation of supervisors and auditors; increasing compensation for attending conventions of county associations; changing permissible payments to secretaries of county associations and payments by townships to state associations and the expense allowance of delegates; providing for appointment of policemen; authorizing police pension annuities to widen, deepen and embark water courses, to employ township managers and certified public accountants, to regulate the election of supervisors in certain cases; providing for the levy of taxes for fire protection services; changing the definition of volunteer firemen for workmen's compensation insurance purposes, the method of advertising for bids, the limitation on taxes for fire hydrant purposes, the requirement for street and road improvements and the vote of supervisors required for zoning changes; and clarifying and revising certain provisions of said act.

#### SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 367

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

#### SENATE BILL No. 367.

An Act to further amend sections four, three hundred one, the first paragraph of section four hundred two, five hundred one, five hundred two and six hundred one point one of, and to amend section seven hundred two of, and to repeal section three hundred thirteen of, and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; \* \* \*" by changing and adding certain definitions; further regulating eligibility for compensation providing for modification of the manner in which employer contribution rates are determined and under certain conditions for the payment by employers of the costs of appeals."

# REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 367

Mr. HELM. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 367.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 367, entitled: "An act to further amend sections four, three hundred one, the first paragraph of section four hundred two, five hundred one, five hundred two and six hundred one point one of, and to amend section seven hundred two of, and to repeal section three hundred thirteen of, and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December, one thousand nine hundred thirty-six (1937, P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; \* \* \* by changing and adding certain definitions; further regulating eligibility for compensation providing for modification of the manner in which employer contribution rates are determined and under certain conditions for the payment by employers of the costs of appeals.'"

Respectfully submit the following bill as our report:

LLOYD H. WOOD,  
JAMES A. GELTZ,  
JOHN M. DENT,

(Committee on the part of the Senate.)

W. STUART HELM,  
ROBERT F. KENT,

(Committee on the part of the House of Representatives.)

An Act to further amend sections four three hundred one five hundred one five hundred two and six hundred one point one of and to amend section seven hundred two of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by changing and adding certain definitions providing for modification of the manner in which employer contribution rates are determined and under certain conditions for the payment by employers of the costs of appeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (k) and (y) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and

make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the tenth day of June one thousand nine hundred forty-seven (P. L. 498) are hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

\* \* \* \* \*

[(k) "Employer's Experience" means a percentage obtained by dividing the "Wages of a Compensated Employee" as defined in sub-section (y) of this section paid by an employer to all of his compensated employees during the first twelve (12) of the last fourteen (14) completed calendar quarters immediately preceding the calendar year which includes the calendar quarter to which the contribution rate is applicable less any credit for reemployment with respect to benefit years ending prior to the first day of June one thousand nine hundred and forty-five which was credited to the employer during such twelve (12) calendar quarters by the total wages paid by the employer to all his employees during such twelve (12) calendar quarters Credit for reemployment previously allocated to a calendar year shall be deemed to have been allocated as of the last two calendar quarters of such calendar year]

(k) "Employer's Reserve Account" means the separate account established and maintained by the department for each employer in the manner provided in section three hundred two hereof including any balance of the reserve account of any other employer whose reserve account may have been transferred to such employer

\* \* \* \* \*

(y) "Wages of a compensated employee" [with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means wages which were paid to the compensated employee by an employer of such employee in the base year immediately preceding the employee's benefit year and which wages shall be treated as though they had been paid in the calendar quarter in which the first compensation of the employee's benefit year was paid and with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five means the first one thousand three hundred and sixty-six dollars (\$1366) in wages which were paid to [the] a compensated employee by [an employer of such employee in] each of such compensated employee's employers during the base year immediately preceding the employee's benefit year and which wages shall be treated as though they had been paid in the calendar quarter in which that amount of compensation was paid which together with any amounts of compensation previously paid with respect to such benefit year equals at least three times the employee's weekly benefit rate for the purpose of charging an employer's reserve account under the provisions of subsection (b) of section 302 of this act "wages of compensated employees" as used therein shall not include wages which were the basis of credit for a waiting week or for the payment of unemployment compensation or both as a result of any employee being unemployed under conditions which under subsection (d) of section four hundred two of this act as amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1186) would have made him ineligible for compensation providing any such employer within sixty days from the date of mailing notice of his contribution rate for the year one thousand nine hundred forty-nine as computed under the provisions of section three hundred one as amended by this act files an ap-

appropriate application with the department giving sufficient information to enable the department to determine whether or not his "wages of compensated employees" should be adjusted under the provisions of this subsection if however any such employee after the termination of the conditions above mentioned and in the same benefit year was paid compensation equal to at least three times his weekly benefit rate then the "wages of a compensated employee" which were the basis thereof shall be included in the "wages of compensated employees" for the employer for the same calendar quarter to which such wages were originally allocated by the department provided that the provisions of this subsection shall not result in the removal or transfer of any "wages of a compensated employee" for any calendar quarter to which such "wages" were originally allocated by the department in determining "state experience" as defined in subsection (s) of section four of this act

Section 2 Section four of the said act is hereby amended by adding thereto new subsection (z.3) (z.4) and (z.5) as follows

(z.3) "Computation Date" means June thirtieth of the year preceding the effective date of new rates of contribution which date shall be January first of the succeeding year

(z.4) "Annual Payroll" means the total amount of "wages" as herein defined paid by any employer during the twelve consecutive calendar month period ending on June thirtieth of any year including such wages paid by any other employer appertaining to that balance of the reserve account of such other employer which may have been transferred to such employer

(z.5) "Average Annual Payroll" means the average of the last three consecutive "annual payrolls" of any employer

Section 3 Section three hundred one of the said act as last amended by the acts approved the tenth day of June and the ninth day of July one thousand nine hundred forty-seven (P. L. 498 and 1469 respectively) is hereby further amended to read as follows

Section 301 Contributions by Employers Experience Rating

(a) Each employer shall pay contributions with respect to the calendar year one thousand nine hundred forty-eight] nine and each calendar year thereafter at a rate equal to two and seven-tenths per centum of wages paid by him for employment Provided however That such rate shall be adjusted between a minimum rate of five-tenths of one per centum and a maximum rate of two and seven-tenths per centum in accordance with the following provisions of this section if with respect to the adjustment of rate for the year one thousand nine hundred forty-nine the employer has paid contributions under this act for one or more quarters in each of the five calendar years immediately preceding such year and with respect to the adjustment of rates for the year one thousand nine hundred fifty and thereafter if the employer has paid contributions under this act for one or more quarters in each of the three twelve month periods ending on the computation date for the year for which the rate is applicable and has also paid contributions under this act for one or more of the first four of the last five calendar quarters immediately preceding such three twelve month periods and provided further however that no employer's rate of contribution for any calendar year shall be less than two and seven-tenths per centum unless all his contributions due on wages paid to the end of the second calendar quarter of the preceding calendar year together with interest and penalties due thereon have been paid by the thirty-first day of July of such preceding calendar year except that an employer who has timely filed an appeal as provided in subsection (e) of this section and who has been determined ineligible to receive a reduced rate solely on the basis that he has not paid all contributions interest and penalties within the time limits as required in this subsection shall have his rate redetermined and shall not be considered

ineligible under this subsection if payment of such delinquent contributions interest and penalties is made within thirty days after the department has notified the employer of the reason for his ineligibility for rate reduction in response to the appeal filed by the employer under subsection (e)

(a.1) Except as specifically provided under section four hundred four wages paid with respect to employment performed under shipping articles shall for the purposes of this act be considered as having been paid as of a date determined under rules and regulations of the department irrespective of when actual payment was made to the employee

(b) Each employer with respect to any period prior to the first day of January one thousand nine hundred forty-eight] nine shall be liable for contributions in accordance with the provisions of this act applicable to each period in effect prior to [the effective date of this amendment] such date and for these purposes such provisions shall remain in force and effect

(c) The rate of contribution payable by an employer entitled to an adjustment [between the minimum rate of one per centum and the maximum rate of two and seven-tenths per centum for each calendar year] as herein provided shall be [determined prior to the due date of his first contribution for the year in accordance with the following table

State Experience	Table Employers Experience			
	Col 1	Col 2	Col 3	Col 4
6% or less .....	17	25	34	42
7 .....	14	21	29	36
8 .....	13	19	25	31
9 .....	11	16	22	28
10 .....	10	15	20	25
11 .....	9	14	18	23
12 .....	8	13	17	21
13 .....	8	12	15	19
14 .....	7	11	14	18
15 .....	7	10	13	17
16 .....	6	9	12	16
17 .....	6	9	12	15
18 .....	6	8	11	14
19 .....	5	8	11	13
20 .....	5	8	10	13
21 .....	5	7	10	12
22 .....	5	7	9	11
23 .....	4	7	9	11
24 .....	4	6	8	10
Rate of Contribution as follows	1%	1.5%	2%	2.5%]

(A) When as of the computation date there is a credit balance in such employer's reserve account which balance shall include (1) contributions with respect to the period ending on the computation date and paid on or before July thirty-one immediately following such computation date (2) benefits paid on or before computation date and shall also include any voluntary payments made in accordance with subsection (g) of Section 302 of this act his contribution rate shall be as set forth in the following table

State Percentage	Employer Percentage (Each Percentage Shown Includes the Fractional Percentages Between Such Percentage and the Immediately Higher Percentage)						
	9 or More	8	7	6	5	4	Less Than 4
9.1% or more .....	.5	.7	1.0	1.5	2.0	2.5	2.7
8.9 and less than 9.1 .	.5	.7	1.2	1.7	2.2	2.7	2.7
8.7 and less than 8.9 .	.5	.9	1.4	1.9	2.4	2.7	2.7
8.5 and less than 8.7 .	.6	1.1	1.6	2.1	2.6	2.7	2.7
8.3 and less than 8.5 .	.8	1.3	1.8	2.3	2.7	2.7	2.7
8.1 and less than 8.3 .	1.0	1.5	2.0	2.5	2.7	2.7	2.7
7.9 and less than 8.1 .	1.2	1.7	2.2	2.7	2.7	2.7	2.7

7.7 and less than 7.9 .	1.4	1.9	2.4	2.7	2.7	2.7	2.7
7.5 and less than 7.7 .	1.6	2.1	2.6	2.7	2.7	2.7	2.7
7.3 and less than 7.5 .	1.8	2.3	2.7	2.7	2.7	2.7	2.7
7.1 and less than 7.3 .	2.0	2.5	2.7	2.7	2.7	2.7	2.7
6.9 and less than 7.1 .	2.2	2.7	2.7	2.7	2.7	2.7	2.7
6.7 and less than 6.9 .	2.4	2.7	2.7	2.7	2.7	2.7	2.7
6.5 and less than 6.7 .	2.6	2.7	2.7	2.7	2.7	2.7	2.7
Less than 6.5 .	2.7	2.7	2.7	2.7	2.7	2.7	2.7

As used in the foregoing table the term "Employer Percentage" means the ratio of the balance in an employer's reserve account to his average annual payroll and the term "State Percentage" means the ratio of the balance as of July thirty-first immediately following such computation date in the unemployment trust fund to the credit of the Commonwealth of Pennsylvania as recorded on the records of the department to the aggregate average annual payrolls of all employers

Provided however that in no case shall the rate of any employer exceed two and seven-tenths per centum or be less than five-tenths of one per centum

[(d) An employer's rate of contribution for each calendar year shall subject to adjustment as provided in clause (f) hereof be that specified at the end of the column in which on the line opposite the State Experience there appears the percentage nearest to the Employer's Experience Provided That the rate of contribution of any employer whose Employer's Experience is in excess of the percentage appearing in column four on the line opposite the State Experience shall be two and seven-tenths per centum and Provided further That if the Employer Experience of any employer computed to an infinite number of decimal places is exactly equally removed from two percentage figures which appear on the line opposite the State Experience the rate of contribution of such employer shall be the rate specified at the end of the column in which appears the higher of such two percentage figures

(e) No employer's rate of contribution for any calendar year shall be less than two and seven-tenths per centum unless all his contributions due on wages paid to the end of the second calendar quarter of the preceding calendar year together with interest and penalties due thereon have been paid by the thirty-first day of December of such preceding calendar year

(f) Fund Stabilization Factor To assure an adequate balance in the fund to meet the benefit payments which may be expected and to avoid the accumulation of excessive reserves the employer's rate of contribution determined in accordance with subsection (d) of this section shall be further adjusted as follows If at the beginning of the first day of any calendar year the balance in the Unemployment Trust Fund to the credit of the Commonwealth of Pennsylvania is eight and three-tenths per centum or more of the total wages of all employees paid during the first four of the last six completed calendar quarters as reported to the department by the preceding September thirtieth then the employer's rate of contribution for such calendar year shall be further adjusted downward in accordance with the following table Provided however That if at the beginning of the first day of any calendar quarter the balance in the Unemployment Trust Fund to the credit of the Commonwealth of Pennsylvania is less than eight and one-tenth per centum of the total wages of all employees paid during the first four of the last six completed calendar quarters as reported to the department by the last day of the next to the last completed calendar quarter then and in that event the employers rate of contribution for each calendar quarter shall be further adjusted upward in accordance with the following table]

[Employer's Adjusted Rate of Contribution determined in accordance with paragraph (d)]

	1%	1.5%	2.0%	2.5%	2.7%
Balance in fund (State Reserve Ratio)	Employer's adjusted rate of contribution in accordance with the provisions of this subsection				

9.1% or more . . . . .	.5	.7	1.0	1.5	2.7
8.9 and less than 9.1 .	.5	.7	1.2	1.7	2.7
8.7 and less than 8.9 .	.5	.9	1.4	1.9	2.7
8.5 and less than 8.7 .	.6	1.1	1.6	2.1	2.7
8.3 and less than 8.5 .	.8	1.3	1.8	2.3	2.7
8.1 and less than 8.3 .	1.0	1.5	2.0	2.5	2.7
7.9 and less than 8.1 .	1.2	1.7	2.2	2.7	2.7
7.7 and less than 7.9 .	1.4	1.9	2.4	2.7	2.7
7.5 and less than 7.7 .	1.6	2.1	2.6	2.7	2.7
7.3 and less than 7.5 .	1.8	2.3	2.7	2.7	2.7
7.1 and less than 7.3 .	2.0	2.5	2.7	2.7	2.7
6.9 and less than 7.1 .	2.2	2.7	2.7	2.7	2.7
6.7 and less than 6.9 .	2.4	2.7	2.7	2.7	2.7
6.5 and less than 6.7 .	2.6	2.7	2.7	2.7	2.7
Less than 6.5 . . . . .	2.7	2.7	2.7	2.7	2.7

[(g)] (d) Successor-in-interest [(1) Pursuant to rules adopted by the department an employer who prior to the first day of January one thousand nine hundred and forty-six acquires an organization trade or business in whole or in part from another employer shall immediately notify the department and for the purpose of ascertaining the rate of contribution of the succeeding employer his "Employer's Experience" shall include that of the prior employer as related to the whole or part of the organization trade or business acquired Such a succeeding employer shall receive full credit for the years during which the former employer made contributions as to the organization trade or business acquired

(2) And Where an employer [who] subsequently to the [thirty-first] thirtieth day of [December] June one thousand nine hundred and [forty-five] forty-nine transfers his or its organization trade or business in whole or in part to a successor-in-interest [may jointly make application with] such successor-in-interest may make application for transfer of the ["Employer's Experience"] whole or appropriate part of the experience record of the preceding employer to the successor-in-interest including credit for the years during which contributions were paid by the preceding employer [The] Provided however Where such transfer involves only a part of such organization trade or business of the preceding employer the department shall transfer the appropriate part of such experience record of the preceding employer only if such preceding employer has joined in such application and has filed with the department such supporting schedules or other information with respect to such experience record as the department may require If the application for such transfer is filed in accordance with the rules and regulations of the department and within the time limits prescribed therein the department may allow such transfer [of "Employer's Experience" pursuant to rules and regulations adopted by the department] only if it finds that the ["Employer's Experience"] employment experience of the preceding employer with respect to the organization trade or business or part thereof as the case may be which has been transferred may be considered indicative of the future ["Employer's Experience"] employment experience of the successor-in-interest In the event of a part transfer of an employer's organization trade or business only [that] such portion of the ["Employer's Experience"] experience record of the preceding employer [relating to the portion of the organization trade or business transferred] as such employer's wages for the last calendar year's annual payroll of the organization trade or business transferred bears to his total annual payroll for such last calendar year shall be transferred and credit shall be given to the successor-in-interest only for the years during which contributions were paid by the preceding employer with respect to that part of the organization trade or business transferred A transfer of ["Employer's Experience"] a reserve account balance in whole or in part having been applied for and approved by the department the preceding employer thereafter shall not be entitled to consideration for an adjusted rate based upon his [experience or part thereof as the case may be] reserve account balance which has been thus transferred

A preceding employer or successor-in-interest who prior to the transfer was an employer during the calendar year

in which the transfer occurred shall not have his rate of contribution adjusted under the provisions of this subsection for the remainder of such year A successor-in-interest who prior to the transfer was not an employer during the calendar year in which the transfer occurred and who has made application for a transfer which has been approved by the department as provided herein and who together with his predecessor has paid contributions for the period required under subsection (a) of section three hundred one with respect to the organization trade or business or part thereof which has been transferred shall be assigned the same rate of contribution as the preceding employer for the remainder of such year after which his rate of contribution shall be determined on the basis of the balance in the reserve account which has been combined with any other reserve account which such successor-in-interest may have acquired

[(h)] (e) (1) The department at least once during each calendar quarter shall furnish each employer with a notice showing the amount of compensation paid during the preceding calendar quarter and charged to such employer's account including the names of the claimants the weeks for which compensation was paid and the amount of compensation charged All questions involving the eligibility of a claimant to receive compensation shall be resolved as provided under the provisions of section five hundred one of this act and such eligibility may not be directly contested by an employer under the provisions of this section The clerical accuracy of the notice provided under the provisions of this subsection may not be contested by an employer in connection with any future appeal by the employer from the rate of contribution assigned to him unless within sixty days from the date of mailing of such notice the employer files with the department a protest in writing contesting the clerical accuracy of such notice and setting forth in detail the item or items to which exception is taken and the reasons therefor Such period of sixty days may be extended with the approval of the department upon written application by the employer filed prior to the expiration of such period

(2) The department shall promptly notify each employer of his rate of [contributions] contribution for the calendar year determined as provided in this section [and for each calendar quarter when modifications in rates are made in accordance with paragraph (f) The department shall furnish each employer with a statement showing the base year wages from such employer of each of his compensated employees and the benefits year to which such wages relate] The determination of the department of the employers rate of contribution shall become conclusive and binding upon the employer unless within thirty days after the mailing of notice thereof to the employer's last known post office address the employer files an application for review and redetermination setting forth his reasons therefor provided that subject to the provisions of subsection (j) of this section the department at any time on its own motion may adjust an employer's contribution rate if it finds that such rate is incorrect The department may if it deems the reasons set forth by the employer insufficient to change the rate of contribution deny the application otherwise it shall grant the employer a fair hearing The employer shall be promptly notified of the denial of his application or of the department's redetermination both of which shall become final and conclusive within thirty days after the mailing of notice thereof to the employer's last known post office address unless the employer shall appeal by petition from the action of the department to the Court of Common Pleas of Dauphin County within such time

[(i)] (f) The petition filed in the Court of Common Pleas of Dauphin County shall set forth the reasons why the employer deems the rate of contribution determined by the department is incorrect No questions shall be raised in any such petition except such as were set forth in the application for review and redetermination by the department A copy of the petition shall be served on the secretary or his deputy The court shall fix a time for hearing

the petition and after hearing shall enter such order affirming or changing the rate of contribution determined by the department as to it appears just and proper From the decision of the court an appeal may be taken by the department or the employer to the Supreme or Superior Court as in other cases

[(j)] (g) Pending the determination of the correct rate of contribution payable by an employer where an appeal to court has been taken the employer shall be liable to the payment of the contributions at the rate as determined by the department But if the rate of contribution is changed by order of court then the department shall without application by the employer make an adjustment thereof in connection with subsequent contribution payments as provided in section three hundred eleven of this act or the employer may apply for a refund in accordance with said section

[(k)] (h) Each employer shall be given notice of the filing of valid applications for benefits by his former employee as provided in section five hundred one Notice having been properly given as provided in such section no employer shall have standing in any proceeding involving his rate of contributions to contest the chargeability to his account of any [wages of a compensated employee] compensation paid to such employee on the grounds that he was not given sufficient or adequate notice or opportunity to be heard

[(1)] (i) For purpose of determining whether or not an employer has paid contributions [in each of the five calendar years immediately preceding the year for which a rate is applicable as provided in subsection (b) of this section] in order to be eligible for consideration for an adjusted rate an employer who shall have served in the active military or naval service of the United States at any time after the sixteenth day of September one thousand nine hundred and forty and prior to the termination of the present war and who shall have been discharged or released from active service under conditions other than dishonorable shall be deemed to have paid contributions under this act during any [calendar] fiscal year ending on the thirtieth day of June any part of which is included in such period of military or naval service Provided That he has actually paid contributions under this act for one or more quarters in either the [calendar] fiscal year ending on the thirtieth day of June in which he entered such military service or in the immediately preceding [calendar] fiscal year ending on the thirtieth day of June

(j) If the department finds that it has erroneously notified an employer that his rate of contribution is less than the rate to which he is entitled he shall be notified of the revision of his rate and he shall be required to make payment of additional contributions on the basis of the revised rate Provided That no such additional contributions shall be required unless the employer is notified of his revised rate not later than one year from the end of the calendar year to which the rate is applicable unless the department finds that the employer has directly or indirectly contributed to the error No interest shall be required to be paid in connection with such additional contributions if they are paid within thirty (30) days from the date that the employer is notified of his revised rate

Section 4 The said act is hereby amended by adding thereto a new section three hundred two reading as follows

Section 302 Establishment and Maintenance of Employer's Reserve Accounts The department shall establish and maintain for each employer a separate employer's reserve account in the following manner

(a) Such account shall be credited with all contributions paid prior to January first one thousand nine hundred forty-nine by said employer for the period between July first one thousand nine hundred forty-five and June thirtieth one thousand nine hundred forty-eight both inclusive

(b) Such account shall be charged with an amount which is the total of the three products obtained by multiplying such employer's wages of compensated employees including reemployment credits if any as ascertained by the department for each of the twelve month periods ended June thirtieth one thousand nine hundred forty-six one thou-

sand nine hundred forty-seven and one thousand nine hundred forty-eight by a factor for each of said periods respectively which factor the department shall establish for each of the twelve months periods by dividing the total compensation paid to all employees during such period by the total wages of compensated employees applicable to such period

(c) Such account shall be credited with an amount computed as follows

(1) Every employer subject to this act on June thirtieth one thousand nine hundred forty-eight who was also subject to this act on or before June thirtieth one thousand nine hundred forty-five shall be segregated into one of ten categories which categories shall represent respectively the years 1936 to 1944 both inclusive and the half year ended June thirtieth one thousand nine hundred forty-five when the employers segregated to each said category shall first have become subject to this act

(2) The average annual payrolls for the period ended June thirtieth one thousand nine hundred forty-seven of all of the employers in each of the ten categories established in subparagraph (1) hereof shall be allocated to such category

(3) To each separate category shall be assigned a factor which shall represent all contributions by even million dollars paid into the Unemployment Trust Fund by all employers from the beginning of the year represented by each said category respectively to and including June thirtieth one thousand nine hundred forty-five

(4) A category product shall be determined for each category by multiplying the total of the average annual payrolls of all the employers allocated under subparagraph (2) hereof to each category by the factor assigned thereto under subparagraph (3) hereof

(5) There shall be distributed to each category that portion of the Unemployment Trust Fund as of August thirty-first one thousand nine hundred forty-five in the ratio that the category product thereof bears to the sum total of all the category products computed to four decimal places and any remainder disregarded

(6) The amount to be credited hereunder to the reserve account of each such employer shall be determined as follows His average annual payroll for the period ended June Thirtieth one thousand nine hundred forty-seven shall be multiplied by a ratio determined by dividing that portion of the Unemployment Trust Fund distributed under subparagraph 5 hereof to the category into which such employer is segregated by the total of all the average annual payrolls for the same period of all the employers segregated to the same category computed to four decimal places and any remainder disregarded

(d) Such account shall be credited with all contributions paid by such employer for periods subsequent to June thirtieth one thousand nine hundred forty-eight

(e) Such account shall be charged with an amount determined by multiplying the wages of compensated employees of such employer for the twelve month period ended June thirtieth one thousand nine hundred forty-nine by the state experience heretofore used in determining rates of contribution for the year one thousand nine hundred forty-nine

(f) Subsequent to June thirtieth one thousand nine hundred forty-nine such account shall be charged with all compensation by even dollars paid to each individual who received from such employer wages credits constituting the base of such compensation in the proportion that such wage credits with such employer bears to the total wage credits received by such individual from all employers Provided that no compensation shall be charged to such account under the provisions of this subsection (f) if a charge has been made under any other provision of this section to such account with respect to the wages of the compensated employee upon which such compensation was based

(g) Any employer at any time may voluntarily pay into the Unemployment Compensation Fund an amount in excess of the contributions required to be paid under the

provisions of this act and such amount shall be forthwith credited to his reserve account His rate of contribution shall be computed or recomputed as the case may be with such amount included in the calculation To affect such employer's rate of contribution for any year such amount shall be paid not later than thirty days following the mailing of notice of his rate of contribution for such year Provided that for good cause such time may be extended by the department and provided further that such amount when paid as aforesaid shall not be refunded or used as a credit in the payment of contributions in whole or in part In no event shall any such amount be included in the computation or recomputation for any year unless it is paid within one hundred twenty days after the beginning of such year

(h) For the purpose of determining any employer's rate of contribution for any year the phrase the "balance in an employer's reserve account" as used in section 301 hereof shall mean the difference between the amounts computed or ascertained as provided in this section which have been credited or charged respectively to his reserve account either for the period during which he shall have been subject to this act ending on such year's computation date or the immediately preceding three twelve-month periods ending on such computation date whichever amount shall be the greater

(i) The department shall terminate the reserve account of any employer who has not paid contributions for a period of four consecutive twelve month periods ending June thirtieth in any year

(j) Nothing contained in this act shall be construed to grant to any employer any claim or right of withdrawal with respect to any amount allocated to him from or paid by him into the Unemployment Compensation Fund except as provided in section three hundred eleven hereof

Section 5 The said act is hereby amended by adding thereto a new section 303 as follows

Section 303 Revision of Reserve Effect Increases or reductions of any employer's reserve account shall not affect the reserve account theretofore established for any other employer and shall not affect any other computation made under the provisions of this act

Section 6 Section three hundred thirteen of the said act is hereby repealed

Section 7 Subsection (a) of section five hundred one of the said act as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby further amended to read as follows

Section 501 Determination of Compensation Appeals (a) The department shall promptly examine each application for benefits and on the basis of the facts found by it shall determine whether or not the application is valid Notice shall be given by the department in writing to the claimant and each base-year employer of the claimant stating whether or not the claimant is eligible under section four hundred and one (a) and if declared eligible thereunder the weekly benefit rate and the maximum amount of compensation payable Provided That where the ["Employer's Experience"] reserve account of a base year employer has been transferred to a successor-in-interest such notice shall be given to the successor-in-interest and not to the original base-year employer and Provided further That no notice need be given to a base-year employer who has been released by the department from filing contribution reports

Section 8 Section five hundred two of the said act as last amended by the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 60) is hereby further amended to read as follows

Section 502 Decision of referee further appeals and reviews where an appeal from the determination or revised determination as the case may be of the department is taken a referee shall after affording the parties reasonable opportunity for a fair hearing affirm modify or reverse such findings of fact and the determination or revised determination as the case may be of the depart-

ment as to him shall appear just and proper the parties shall be duly notified of the referee's decision and the reason therefor which shall be deemed the final decision of the board unless within ten days after the date of such decision the board acts on its own motion or upon application permits any of the parties to institute a further appeal before the board a memorandum of testimony of any hearing before any referee shall be made and be preserved for a period of two years notwithstanding any other provisions of this act to the contrary with any appeal or further appeal filed by an employer with the board the employer shall be required to pay a filing fee in an amount which under rules and regulations adopted by the board shall be determined to be reasonably representative of the costs incident to such appeal provided that such fee shall be refunded if the claimant is finally denied benefits or awarded benefits in an amount less than the amount of the award from which the appeal was taken such fees shall be deposited in the special administration fund and all refunds as provided herein shall be made from such fund

Section 9 Section six hundred one point one of said act as last amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 721) is hereby amended to read as follows

Section 601.1 Special Administration Fund There is hereby created a special fund separate and apart from all public moneys or funds of this Commonwealth to be known as the special administration fund under rules and regulations adopted by the department interest and penalties collected from employers under the provisions of this act and fees incident to appeals as provided in section five hundred two may be paid into the special administration fund such rules and regulations may provide for determining in any manner which payments of interest and penalties are to be paid into the special administration fund and which payments of interest and penalties are to be paid into the unemployment compensation fund There shall also be deposited in the Special Administration Fund moneys as provided in subsection (b) of section two hundred one of this act The moneys in this fund shall be used for the payment of costs of administration which are found not to have been properly and validly chargeable against Federal grants or other funds received for or in the administration fund and also for the purposes authorized in subsection (b) of section two hundred one of this act Said moneys shall not be expended or available for expenditure in any manner which would permit their substitution for or a corresponding reduction in Federal funds which would in the absence of said moneys be available to finance expenditures for the administration of this act Nothing in this section shall prevent said moneys from being used as a revolving fund to cover expenditures necessary and proper under the law for which Federal funds have been duly requested but not yet received subject to the charging of such expenditures against such funds when received the State Treasurer shall make payment of obligations from the special administration fund as herein provided upon requisition of the secretary and certification by him that no other funds are available or can properly be used to finance such expenditures the moneys in this fund are hereby specifically made available to replace any moneys received pursuant to section three hundred and two of the Federal Social Security Act as amended which because of any action or contingency have been lost or have been expended for purposes other than or in amounts in excess of those necessary for the proper administration of this act and are available for such replacement whether or not such moneys were expended or the obligations covering such expenditures were incurred prior or subsequent to the enactment of this amendment The moneys in this fund shall be continuously available for expenditure in accordance with the provisions of this section and shall not lapse at any time or be transferred to any other fund except as herein provided and as provided under [section] sections three hundred [and] eleven and five

hundred two wherein an amount equal to any refund or credit of interest or penalties shall be transferred from the special administration fund to the unemployment compensation fund

Section 10 Section seven hundred two of said act is hereby amended to read as follows

Section 702 Limitation of Fees No employer or employee shall be charged fees of any kind in any proceeding under this act by the department the board or any of its officers or agents except as provided in section five hundred two Any individual claiming compensation in any proceeding before the department the board or referee may be represented by counsel or other duly authorized agent but no such counsel or agent shall either charge or receive any greater fee for such services than is approved by the board any person who violates any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars or be imprisoned for not more than six months or both

Section 11 (a) An employer who prior to the first day of July one thousand nine hundred forty-nine had acquired an organization trade or business in whole or in part from another employer shall be entitled to a re-determination of the balance in the reserve account assigned to him as of June thirtieth one thousand nine hundred forty-eight under the provisions of this act upon application made by him within thirty days after notification of his rate of contribution under the provisions of this act for the calendar year one thousand nine hundred forty-nine

(b) In such case he shall be entitled to credits and charges to his reserve account appertaining to the records of such preceding employer provided that he establishes to the satisfaction of the department the year within which such preceding employer first became subject to such act

(c) In ascertaining such credits and charges the provisions of section three hundred two shall be applied in which application it shall be deemed that as used therein

(1) "Contributions paid by such employer" as used in sub-sections (a) and (d) of such section includes contributions paid by such preceding employer with respect to the whole or that part of the organization trade or business transferred as the case may be

(2) "Wages of compensated employees" as used in sub-sections (b) and (e) of such section includes such wages of such preceding employer

(3) "Employers subject to this act on or before June thirtieth one thousand nine hundred forty-five" as used in subsection (c) of such section includes any employer who succeeded to the organization trade or business in whole or in part of a preceding employer who was subject to such act on or before such date and

(4) "Average annual payroll" as used in subsection (c) of such section includes annual payrolls of such preceding employer

(d) In respect to acquisitions referred to in this section which occurred prior to the first day of July one thousand nine hundred forty-five such employer shall be deemed to be segregated into that category into which such preceding employer would have been segregated under the provisions of subsection (c) of such section and the credit to which he shall be entitled thereunder shall be determined by the application of the ratio mentioned in subparagraph (6) of such subsection which is applicable to such category

(e) Any change in an employer's reserve account resulting from the application of this section shall not affect the reserve account theretofore established for any other employer and shall further not affect any other calculation made under the provisions of the act which this act amends

Section 12 (a) After the rates of contributions for each employer have been computed for the calendar year one thousand nine hundred forty-nine under the provisions of section three hundred one hereof as herein amended an employer whose rate so computed is greater than the

rate computed for him in accordance with the provisions of this act in effect prior to the effective date of this amendment shall pay contributions with respect to the calendar year one thousand nine hundred forty-nine at the lesser rate

(b) Notwithstanding any provision of this act or of the act amended by this act the excess of any contribution paid by any employer with respect to the calendar year one thousand nine hundred forty-nine over the amount determined by the application of his rate of contribution for such year computed under the provisions of section three hundred one hereof as herein amended shall be deemed to have been erroneously paid and shall be allowed by the department as a credit without interest in connection with subsequent payments of contributions by such employer.

Section 13 This act shall become effective immediately upon its final enactment and shall apply in the determination of rates of contribution for the calendar year one thousand nine hundred forty-nine and thereafter

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. ANDREWS. Mr. Speaker, this is no ordinary occasion and this is no ordinary bill. We are not approaching the discussion of this measure and the report of the Conference Committee in any spirit of levity.

I say this is no ordinary bill, because if it were an ordinary bill it would not be possible to stage the greatest mobilization of transportation since the gallant relief of Paris by taxicabs. If this were any ordinary occasion, it would not have been possible to stop a train on the Pennsylvania Railroad for twelve minutes. If this were any ordinary occasion and any ordinary bill, it would not have been necessary to send the State Police after absentee Members. If this were ordinary legislation it would not be necessary to impound flying machines to bring in absentee Members. We hope that the undertaker who came in a flying machine is not in any sense an unhappy omen.

This measure and this Conference report involve big money. It would not ordinarily happen that an action such as this would be staged in behalf of John Doakes, the man on the street. In order to understand the genesis of this action, I must refer to the Bible of the Republican Party, none other than the Philadelphia Inquirer, which in this morning's edition gives the genesis of this action. The Inquirer in this morning's edition recounts that there was a battle raging in the other chamber of this General Assembly. There was a movement on foot to refund to the brewers two and one half million dollars as a result of breakage. Then there was Senate Bill No. 367. A person very influential in Republican circles was on the floor of the Senate in behalf of the brewers' refund—Peddling in behalf of the brewers' refund, and ultimately there was brought to that gentleman, none other than one Owlett, this proposition, "you can either have the refund to the brewers or you can have Senate Bill 367; take your choice," and the gentleman, without even engaging in mature consideration, decided that if he must choose between the refund of two and a half million dollars to the brewers or this bill, he preferred this bill.

If he must choose between a refund of two and a half million dollars to the brewers or this bill, he preferred this bill, proof positive that this bill is worth more than two million five hundred thousand dollars to some of us.

The basic law with which this Senate Bill is concerned

was peddled into this Legislature in 1945 by one particular group that wrote this law to suit themselves. In 1947 that same group came back and rewrote the law to suit themselves, and now that same group comes back with another proposal designed in whose interests? Designed in the interests of the little fellow or designed in the interests of those who are interested in rewriting the Act for the last three Sessions of this General Assembly?

I want to write into the record that no one knows what this bill will do. No one can tell what this bill will actually do until they have tabulated the reserve accounts of every employer in the Commonwealth of Pennsylvania. This bill changes your system. When this bill becomes law a separate account will be set up for every employer and he will have his own reserve.

Why all this maneuvering? Because under this bill, and I want to write this into the record, certain large employers of the state of Pennsylvania will be given credits in excess of six million dollars. Estimates run all the way from three and a half to six million dollars. On the basis of what I consider expert advice, I would write into the record that this bill is a gift, an outright gift and an immediate gift of at least six million dollars to a range of large employers, at the head of which stands the powerful Westinghouse Corporation. I also want to write into the record this prediction, that this bill involves an annual depletion of the fund in excess of eight million dollars.

Mr. Speaker, I want to re-emphasize by opening statement, that political leaders do not stage a mobilization of this sort because they are out to put a bill across that is of concern to John Doakes, that is of concern to the man on the street, or is of concern to the little employer. This is big business, Mr. Speaker. This is powerful leadership. This bill means millions, and it doesn't mean millions for the little employer. The measure was sugar-coated to some extent by the amendments inserted in the House, which gave the little fellow some consideration. Without the amendments inserted in this bill by this House this bill is an outright steal.

Mr. EVANS. Mr. Speaker, I rise to oppose this report of the Conference Committee. I felt rather proud for several days this week when this House saw fit in what I considered to be common decency to accept amendments to this bill which would have given much needed consideration to many people in this Commonwealth who are attempting at the present time to live and maintain a family on two or three days a week work.

As bad as this bill is, I was willing to gulp and swallow it with the amendments, but apparently the high command has seen fit to delete the amendments, and the bill in its present form is what I said it was the other day, strictly an employers' measure.

Mr. Speaker, what this bill is going to cost the unemployment compensation fund in the manner of contributions from employers, I am unable to say. Admittedly it is millions. I doubt very seriously whether anyone in this House today can say what this bill is going to cost the fund. I doubt very seriously whether the Bureau itself would be prepared today to say how many millions of dollars this particular bill is going to cost the fund.

In my opinion it is a disgraceful situation where the destiny of this particular bill would be linked with a beer bill in the Senate. I think that that is a disgraceful

situation which confronts us here today. This bill is not going to help all the employers in the Commonwealth of Pennsylvania; it was not designed for that purpose. It is strictly a monopolistic employers' bill, and those are the people it is going to help. I am quite confident that this bill isn't going to help all the employers of this Commonwealth because there are many employers in the Hall of the House at the present time who are opposed to the final adoption of this bill.

I can appreciate the tremendous pressure that has been exerted on certain Members of this House on the other side to vote for this bill, but I just want to tell you this in closing, please remember that the amendment that was originally put in this bill that would have given some ray of hope to people in your legislative districts, who are working one or two or three days a week is no longer in this bill, and for my part, as the bill is at the present time, I fully expect to vote against the Conference Report.

Mr. LOVETT. Mr. Speaker, you possibly noticed that I had my cup of coffee and sandwich before we started. I have stayed up just as long as all of the rest of you have. This legislation to my mind means something to the people of Pennsylvania.

If you gentlemen want to be honest and aboveboard on this legislation, you would stay here with me until we could get this Department to bring the books down here. I may not be able to read them, but I think my good friend, Mr. Andrews, would be. If you noticed, I voted to put the amendments into this bill and then I voted against the bill with the amendments in. For the life of me, I couldn't sacrifice the meager sum we gave to the poor people of Pennsylvania, when you consider the millions that you are giving to those who are making millions of profit today, which you read about in the newspapers every day of your life.

They told me that this was a simple bill; I heard it in my own Democratic caucus that this was only a simple bill. That's the way they put simple bills over in Pennsylvania. This is not a simple bill. If you want the facts, I am willing to sit here until we get the Department to bring the books over. If you fellows don't understand the bill, let us send and get the books and let us stay here until Christmas, if necessary, so we can find out what the big monopolists of Pennsylvania are doing to the people of Pennsylvania, how they are conniving every day to put the tax on the people who are the least able to pay it, and you know it.

I say to you honestly, if you are sincere you will stay here and find out what this bill does. The gentleman from Cambria, Mr. Andrews, said nobody can tell today what the bill really does. That is the reason why I stood here and fought on this legislation, because after many years in this House, while I might not be as smart as the other men in this House, as I do not have the education you have, I can still smell a bill that has a sneaker in it. You are taking it away from the people of Pennsylvania and piling it onto those whose profits are greater than they ever were in the history of the country. You know it and you can't deny it.

They tell you boys that you must go along in order to get out of the Hall of this House. You are giving up something; stand up and say "No, I want to know exactly what the bill does; I want to know what the re-

turn is to the big corporations that are making millions today. Stay here with me until we find out, and I am sure, when you definitely know, regardless of who comes and who does not, you will not vote for this conference report; you will vote in the interest of the people. I am going to vote against this bill.

Mr. KENT. Mr. Speaker, as I said the other day when I spoke against the amendments offered by the gentleman from Cambria, Mr. Evans, the amendments confused the issue which was brought before the Members of this House by House Bill 367, for the reason that the provisions in that bill dealt solely with employers' contributions to the unemployment compensation fund, whereas the amendments dealt with an entirely different subject, the subject of benefits to employees.

I thought then and I think now that in fairness to the Members of this House they should be able to consider these two issues separately, and that they should not be confused by any argument in behalf of the amendments which were offered and which have now been deleted by the conference committee report.

I would like to explain to this House the feeling, and the reasons for the report that was made by the conference committee, which incidentally is signed by one member of the minority. The considered feeling of that committee was that we were not prepared at that time or at this time to pass on the issue of partial payments for unemployment that has been the base of the plan. We didn't know what its effect on the employers, on the employees and on industry—what the over-all effect would be. It was considered by a majority of that committee that a study was justified, and with that thought in mind the amendments were deleted and a resolution was prepared directing the Joint State Government Commission to thoroughly study the day-base plan or the final payment. I will offer that resolution after action has been taken on this conference report.

It may be argued, I presume, that we don't know anything about what 367 as it now stands will do, but I think we are at least to some degree acquainted with what will happen. Very briefly, it is this, it will cure some of the iniquitous and unfair matters which have developed through the years since the beginning of unemployment compensation, which have resulted to the employees, and the general feeling is, that they should be cured and take care of.

A situation has arisen where many employers—and I am not talking just about the big employers who have been referred to by Mr. Andrews—I am talking about all employers, big and small. The situation has arisen and now exists where many of those employers paid a great deal more into the fund than the benefits which their employees received. In many cases they pay in two, three and four dollars to every dollar that their employees receive from that fund. On the other hand, this is where the inequity exists; many employees draw out at least twice as much money from the fund as they contribute. Certainly, gentleman, that is not to my way of thinking, a fair and equitable situation. Certainly every employer should contribute to that fund at least the amount which their employees draw from it, and that particular thing will be accomplished under 367 as it now exists.

There are cases that were brought to my attention

where small employers who employ from two to three hundred employees, will be greatly benefited by the installation of the contribution rate which is provided in this bill, that their rate of contribution will decrease. It is true in many cases that the rate of an employer will increase, and that is the purpose of the bill and of the system, to create a balance so that everyone will stand in the same position.

Now, it has been mentioned that this will greatly reduce the amount that will go into the fund. I certainly will take issue on that because according to the best information that I can receive from the Bureau, that is not the case. The tables that are provided in 367 are the same that are in the law now, and their best estimate is that the amount that will go into the fund under this bill will be very close to what is contributed now.

I think, and I want to say again, that every Member of this House can vote in favor of this conference report and be fair, feel that he has done a fair thing and that he has not hurt any employes' group whatsoever, because they will not be affected in any way. I will take issue with the gentleman from Westmoreland when he says that a vote in favor of this conference report would be a dishonest thing. I therefore ask, the Members of this House to vote in favor of this conference report on 367 and that they also vote in favor of the resolution which will be offered later.

Mr. ANDREWS. Mr. Speaker, I will not, of course, repeat the initial argument made for the benefit of the latecomers, I presume they have been detained as a result of a desire to give mature consideration to the intricacies on the measure now before us, and that therefore they are enlightened by the light of their own reason.

I had been in hopes that the learned gentleman to whom we have just listened would have thrown some detailed light on Page 12 of the conference report, "The rate of contribution payable by an employer entitled to an adjustment as herein provided shall be", and we then cut out the old table and put in a new table, and we see the percentage rate of adjustment. But the gentleman did not tell us what accounts will be adjusted, in what brackets the adjustments would be, what would be the total amount and how much is being adjusted. Percentages don't tell the story. You don't have the story until you have the tabulation of the individual employers, and until you have an experience rating. But we have a planned adjustment table and so, I agree with the gentleman from Westmoreland that we don't know anything about this bill until we have a detailed answer to the adjustment and until we have a detailed answer to the formula on Page 13 of the bill which again is one of the hearts of the controversy.

Mr. Speaker, the gentleman has given us a weather report, "fair and warmer", but he has not disclosed the bleak days of winter which this bill spells for many of the Pennsylvania employes.

#### QUESTION OF INFORMATION

Mr. LOVETT. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Westmoreland will state it.

Mr. LOVETT. Mr. Speaker, does this one vote conclude the action on this bill?

The SPEAKER. The Chair is unable to understand the gentleman's question.

Mr. LOVETT. Mr. Speaker, is this the only vote to be taken on this bill, Mr. Speaker?

The SPEAKER. If the majority of the Members adopt the report of conference there will be no further voting on the measure before the House.

Mr. LOVETT. I thank the Speaker.

Mr. Speaker, I was in error when I said that I would talk further on this bill when the bill itself came before you. I discover now that the bill itself is before you. This will be your last chance to show that you do not approve the procedure which bills like this take.

The gentleman on the other side explained to you that this applied to all employers in Pennsylvania. The other day when I was on the floor I told you it dealt with merit rating, and it does. I opposed merit rating at the time it was enacted. We are now going further in merit rating. To me merit rating, unemployment compensation is an insurance proposition. We enact this unemployment compensation for the benefit of the people who may be unemployed through no fault of their own. Now then the employers that have to lay them off don't want to lay those men off. They lay them off because they have to lay them off. The employer who don't have to lay their men off don't need any help; it is the employer that has to lay them off that needs help. But that is not the way merit rating works; that is not the way this bill works.

The gentleman on the other side will have to admit that if you were in a business that is seasonal, where you have to lay your men off, unemployment compensation will cost you more, which is rightfully so. It is an insurance proposition. The fellow up at the top who is working should be willing to help pay the other fellow to keep business going when it is bad. Understand there is merit rating in different industries throughout the state, the plan whereby the employees themselves pay into the fund for relief benefits. A man paid in a dollar and a half a month for relief benefits, and if he got sick he was paid so much a week. If he didn't get sick he never was paid anything, but they never reduced this dollar and a half; they left it at a dollar and a half to protect the poor fellow that got sick. Do you need any more explanation than that? That to me is as clear as anything.

Unemployment compensation is the same thing, my friends. It is to help industries that lay men off, and not to penalize them. I say to you today that you should not pass this report; you should defeat it now because it is not worthy of your votes, and you know it is not worthy your votes. There is no reason why it should get your votes. There is no industry in unemployment compensation—if you took merit rating out and threw it out the window, that it would be of more help to protect the fellow that needs the help. That is the reason why I stand here and fight for the protection of the fellow that needs help. So, my friends, I plead with you to vote against this conference report.

Mr. NAGEL. Mr. Speaker, I listened with interest to the discussion on this bill from both sides of the House. I heard accusations made that this bill would be a steal; that it would be a give-away; that it would be a hand-out; that it would be unfair to the small employer and of great advantage to the man who employed many men. I haven't heard that charge denied. I have heard it said it would

mean million of dollars to some of our big concerns. I haven't heard that charge denied.

I am interested in Pennsylvania and in these United States of America. I have been some what of a student of history and I know what our Congress has done in trying to ferret out by the Committee on un-American activities, and penalize them and punish them. I want to say to you that if this bill is passed and becomes law, I contend it would be an un-American activity; it would be unfair to the smaller groups.

I want to call your attention to the fact that since World War II up until now, eighteen big cooperations of our country have been enrolled in the million dollar club. Going back into those countries that we are now opposing; Russia, where communism and fascism are rampant we have that very situation, the condition of the little man against the condition of the big man. I say to you that this bill should be the handwriting on the wall and if you do not heed it, our republican form of Government has been weighed in the balance and found wanting. I am voting against this conference report.

On the question recurring.

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. Andrews, Lovett and Mrs. Munley.

The roll was verified and was as follows:

#### YEAS—110

Altahuler,	Ferster,	Kemp,	Robertson,
Barkdoll,	Firmstone,	Kent,	Royer,
Baumunk,	Flack,	Kline,	Sax,
Bednarek,	Fleming,	Kratz,	Scott,
Blair,	Fox,	Kurts,	Shoemaker,
Bloom,	Frank,	Lee,	Smith, C. C.,
Bomberger,	Frost,	Lelsey,	Sollenberger,
Boorse,	Gallagher,	Loftus,	Stimmel,
Bower,	George,	Madigan,	Stuart,
Breisch,	Gibson,	McCormack,	Tahl,
Brice,	Goodling,	McCullough,	Thompson,
Brown, W. E.,	Graybill,	McKinney,	Tompkins,
Brunner,	Green,	McMillen,	Toomey,
Cadwalader,	Greenwood,	Miller,	Varner,
Clapper,	Greer,	Milliken,	Wachhaus,
Clendening,	Guthrie,	Mintess,	Wagner,
Cooper,	Hall,	Moore, O. E.,	Waterhouse,
Costa,	Harney,	Moore, H. A.,	Watkins,
Dalrymple,	Haudenshield,	Murray,	Weidner,
DeLong,	Helm,	Neff,	Wescott,
Dennison,	Herman,	O'Dare,	Wood,
Deputy,	Hewitt,	O'Donnell,	Yaffe,
Driscoll,	Hocker,	Orban,	Yeakel,
Dye,	Hoffman,	Price, H. W., Jr.,	Young,
Elder,	Jennings,	Propert,	Ziegler,
Erb,	Johnson,	Reagan,	Sorg,
Ewing,	Jump,	Reilly, J. M.,	Speaker
Felton,	Keller,	Riley, R. L.,	

#### NAYS—75

Andrews,	Heatherington,	Munley,	Sarra,
Bane,	Hersch,	Nagel,	Scanlon,
Beaver,	Hunter,	Najaka,	Schmidt,
Brandon,	Jenkins,	Needham,	Schuster,
Brown, H. S.,	Jim,	Penglase,	Seyler,
Bucchin,	Jones, G. E.,	Peta,	Smith, W. B.,
Cole,	Jones, J. M.,	Petrosky,	Snider,
Conway,	Kamyk,	Pettigrew,	Stank,
Dougherty,	Kirley,	Posta,	Sternberg,
Duffy,	Kohl,	Powers,	Swope,
Evans,	Kondrath,	Price, R. A.,	Taylor,
Filo,	Limper,	Readinger,	Varallo,
Floyd,	Lovett,	Reese,	Verona,
Glembocki,	McGee,	Reidenbach,	Wargo,
Good,	McNally,	Reynolds,	Welsh,

Guarnieri,  
Hagerty,  
Hamilton,  
Harris,

Mihm,  
Mikula,  
Monroe,  
Moran,

Robbins,  
Rose,  
Rosen,  
Rovasek,

Westrick,  
Worley,  
Yester,  
Yetzer,

#### NOT VOTING—23

Amarando,  
Boles,  
Breth,  
Cochran,  
Coleman,  
Gaffney,

Hoggard,  
Kolankiewicz,  
Krise,  
Lederer,  
Leonard,  
Mills,

Musto,  
Nixon,  
Olsen,  
Pentrack,  
Pfafl,

Polen,  
Spencer,  
Weiss,  
Wheeler,  
Williams,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

#### REASONS FOR VOTE

Mr. DALRYMPLE filed the following reasons for his vote:

I am stating our reasons for voting for the conference report on Senate Bill No. 367 which the amendments have been removed from, bringing it back to its original form. I have had conferences with Mr. McDevitt and Mr. Earl Bohr of the American Federation of Labor of Pennsylvania and they have informed us that they have withdrawn their requests for us to use our own judgment. They are asking for no votes either way. However, that is the reason for my vote on this bill as of today.

#### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

I suggest, Mr. Speaker, that while we have an official delegation of the Senate, and I am not referring now to the official delegation that is in the rear of the House to inform the Senate that we are prepared to adjourn sine die—I suggest that all of the Senators other than the official delegation can now be excused from the Hall of the House.

The SPEAKER. The Chair wishes to add, however, that the Senators are very welcome.

#### NOTIFICATION THAT SENATE IS READY TO ADJOURN SINE DIE

Mr. HARE. Mr. Speaker, we the Committee from the Senate, appointed in pursuance of a concurrent resolution adopted by both Houses, desire to inform the House that the Senate is now ready to adjourn sine die this 138th Session of the General Assembly on April 28, at 6:00 o'clock Eastern Standard Time.

The SPEAKER. The Chair thanks the Committee on the part of the Senate.

#### CONCURRENT RESOLUTION

#### JOINT STATE GOVERNMENT COMMISSION TO MAKE STUDY OF UNEMPLOYMENT COMPENSATION LAW

Messrs. KENT and SCOTT offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read and considered as follows:

In the House of Representatives, April 28, 1949.

Whereas, Continuing partial unemployment which has

been increasing during the past year while seasonal at times, can also be an index of a slowing down of business activity; and

Whereas, The unemployment compensation law must be adequate to handle such partial continuing unemployment as a temporary problem as well as to withstand economic stresses over longer periods in order to insure confidence of the people of this Commonwealth in the economic stability of their State; now therefore be it

Resolved (if the Senate concur), That the Joint State Government Commission is hereby directed to make a study of unemployment and the Unemployment Compensation Law in order to ascertain that the manner of its administration and financing is sufficient to meet the problem of partial unemployment both seasonally and during continuing periods of unemployment resulting from a general slackening of economic activity; and be it further

Resolved, That the commission shall report its findings and recommendations to the next regular session of the General Assembly, together with such proposed legislation as it may deem essential to carry out the same.

On the question,

Will the House adopt the resolution?

Mr. ANDREWS. Mr. Speaker, we are willing to accept this open confession filed by the majority. Having just passed the most perfect of all perfect unemployment compensation acts, it is now proposed that we establish a commission to find out where we are at and where we are going in the matter of unemployment compensation, and we are now going to study the very facts and factors that were contained in the bill we just passed. We are going to find out whether those trick provisions in that act are really good or bad. We are going to study a matter presented to this House as finished business, and so, Mr. Speaker, since no subject needs study more I suggest that we adopt this resolution.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

## SENATE MESSAGES

### CONCURRENT RESOLUTION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

SERIAL No. 108.

In the Senate, March 16, 1949.

Whereas, Thomas Fitzsimons, the American patriot, the father of American protective tariff and the statesman chiefly responsible for the financial stability of the United States during its formative years of its existence; and

Whereas, Thomas Fitzsimons was a moving figure in every constructive act of this country prior to, during and after the American Revolution; and

Whereas, the Commonwealth of Pennsylvania through the General Assembly thereof deems that the services of Thomas Fitzsimons to our State and the United States were of such outstanding character as to make it desirable that he be commemorated for distinguished civic service by placing a statue of him either in bronze or marble in Statue Hall at Washington, or in such other location as may be determined by the Joint Committee on the Library of the United States Congress with the advice of the United States Commission of Fine Arts; therefore be it

Resolved, (if the House of Representatives concur),

That the Architect of the National Capital be requested to place a State of Thomas Fitzsimons in Statue Hall at Washington or in such other location as may be determined by the Joint Committee on the Library of the United States Congress with the advice of the United States Commission of Fine Arts.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

### CONCURRENT RESOLUTION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

SERIAL No. 105

In the Senate, January 25, 1949.

Whereas, The dispersal and inconvenient location of the offices of the various departments, commissions, bureaus, and boards of our State Government in the City of Philadelphia is not conducive to efficiency and economy and above all not commensurate with the dignity and greatness of the Commonwealth of Pennsylvania and,

Whereas, The Rentals paid by the Commonwealth for its Philadelphia offices for the last two decades would have amply covered the costs of an imposing state-owned building erected structurally and artistically according to the highest and most modern standards of office-building architecture, and

Whereas, the acoustics and accommodations of the rooms occupied by the State Courts in the City Hall of Philadelphia are deficient and functionally inadequate, thus requiring changes that cannot be longer delayed, and

Whereas, there is thus a definite need now extant in Philadelphia for the erection therein of a State Court House and Office Building, and

Whereas, recently the City of Philadelphia and the Pennsylvania Railroad Company have agreed that the so called "Chinese Wall," running from Broad Street Station to 30th Street Station parallel to Market Street be removed and a ninety-feet wide boulevard laid out upon the tract of land now covered by said "Chinese Wall" and that as a part of this development the future width of Fifteenth Street between the proposed boulevard and Market Street is to be fixed at sixty-seven feet and that of Sixteenth Street at seventy feet, and

Whereas, The execution of the aforesaid agreement between the City of Philadelphia and the Pennsylvania Railroad Company will place at the disposal of the City of Philadelphia an available site within less than one hundred yards from City Hall having a length of three-hundred sixty-feet and a depth of two hundred eight feet and thus admirably suited for the erection thereof of a State Court House and Office Building,

Now Be It Therefore Resolved (if the House of Representatives concur) that:

(a) The Joint State Government Commission appoint a committee to make a study of the locational and dispersal inconveniences of the several State Offices in Philadelphia and the effect thereof upon the efficiency of the services rendered.

(b) That the City of Philadelphia be urged by the General Assembly of Pennsylvania to place at the disposal of the Commonwealth of Pennsylvania the aforesaid site for the erection thereon of a State Court House and Office Building.

(c) That His Excellency the Governor of Pennsylvania be urged to order a study by his subordinates of the suitability of the aforesaid site for the erection thereon of a State Court House and Office Building, as well as the advisability of such a project.

(d) That the General Assembly of Pennsylvania enact such legislation that may be necessary for the initiation of the project.

(e) That the Secretary of the Senate forward copies of this resolution to His Excellency the Governor of

Pennsylvania, to the Mayor of Philadelphia, and to the President of the Pennsylvania Railroad.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

#### CONCURRENT RESOLUTION

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

SERIAL No. 116

In the Senate April 27, 1949.

Whereas, For the past several years the matter of raising funds by taxation for the support of the school district of the first class coterminous with the city of Philadelphia has been a paramount question before each session of the General Assembly of this Commonwealth and

Whereas, With each year this problem has become more difficult to solve since the cost of maintaining adequate school facilities and the salaries of teachers have risen and because the general tax burden has become heavier; and

Whereas, The school district coterminous with Philadelphia has been existing from hand-to-mouth so to speak, from biennium to biennium on temporary taxes prescribed by the General Assembly; and

Whereas, It is necessary that a fixed adequate solution be found to the financial problems of the school district of the first class coterminous with the city of Philadelphia in order that the schools there can be maintained on a level with schools in this State and in cities outside this Commonwealth of comparable size, in order that the tax burden of supporting such schools may be reasonably placed with certainty, and in order that the General Assembly need not concern itself biennium after biennium with such an involved problem over such a local matter; now therefore be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission is hereby directed to investigate, study and determine the present and future financial needs of the school district of the first class coterminous with the city of Philadelphia with particular emphasis on a comparison of Philadelphia's problems as compared with those of other large cities and considering all factors including trends in school population pupil-teacher ratio, and school building construction; and be it further

Resolved, That the commission shall attempt to formulate a basis for permanent forms of taxation to meet the financial requirements of such school district; and be it further

Resolved, That the commission shall report its findings and recommendations to the next session of the General Assembly and shall propose legislation embodying the results thereof

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### DISCHARGE OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 286

Mr. HELM. Mr Speaker. I am directed to report that the Committee of Conference on the part of the House cannot agree on the differences existing between the House and the Senate on Senate Bill No. 286, Printer's No. 737, and move that the Committee be discharged.

The motion was agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. HELM. Mr. Speaker, I move that the House insist upon its amendments nonconcurring in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 871

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill Numbered and entitled as follows

##### HOUSE BILL No. 871.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for additional examinations for school bus operators; and further regulating safety requirements for school buses and the meeting or overtaking of school buses while taking on or discharging school children and the establishment of off the highway loading zones by school districts

#### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

##### HOUSE BILL NO. 394.

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" changing the compensation of supervisors and auditors increasing compensation for attending conventions of county associations changing permissible payments to secretaries of county associations and payment of dues by townships to state associations and the expense allowance of delegates providing for appointment of policemen authorizing police pension annuities to widen deepen and embank water-courses to employ township managers and certified public accountants to regulate the election of supervisors in certain cases providing for the levy of taxes for fire protection services changing the definition of volunteer firemen for workmen's compensation insurance purposes the method of

advertising for bids the limitation on taxes for fire hydrant purposes the requirements for street and road improvements and the vote of supervisors required for zoning changes and clarifying and revising certain provisions of said act

#### HOUSE BILL NO. 871.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for additional examinations for school bus operators and further regulating safety requirements for school buses the meeting or overtaking of school buses while taking on or discharging school children and the establishment of off the highway loading zones by school districts

#### HOUSE BILL NO. 872.

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations of taxation is concerned and providing for the acceptance of this act by cities" by providing for annual assessments abolishing triennial assessments providing for fixing of salaries of subordinate assessors limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made and making assessments applicable to taxation for institution district purposes and providing for the preparation of duplicates

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### RESOLUTION

##### COMMITTEE TO WAIT UPON SENATE

Mr. CHARLES C. SMITH offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, April 28, 1949.

Resolved, That a committee of three members of the House of Representatives be appointed by the Speaker

to wait upon the Senate, and inform that body that the House has completed the business of the Session and is now ready to adjourn sine die.

##### COMMITTEE APPOINTED TO WAIT UPON SENATE

The SPEAKER. The Chair appoints as a Committee to wait upon the Senate and inform that body that the House of Representatives is now ready to adjourn sine die, Messrs. Charles C. Smith, Leakel and Stank.

#### RESOLUTION

##### COMMITTEE TO WAIT UPON GOVERNOR

Mr. BRUNNER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, April 28, 1949.

Resolved, That a committee of three members of the House be appointed by the Speaker to wait upon His Excellency, the Governor of the Commonwealth, and inform him that the House of Representatives has completed the business of the Session and is now ready to adjourn sine die, and inquire whether there are any further communications he may wish to make to the House of Representatives.

##### COMMITTEE APPOINTED TO WAIT UPON GOVERNOR

The SPEAKER. The Chair appoints as a Committee on the part of the House to wait upon the Governor and inform him that the House is ready to adjourn sine die, Messrs. Brunner, Wood and Andrews.

#### SENATE MESSAGE

##### SENATE DISCHARGES CONFERENCE COMMITTEE ON SENATE BILL NO. 286.

The Clerk of the Senate being introduced, informed that the Senate has discharged the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

##### SENATE BILL NO. 286.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide money for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" eliminating certain obsolete provisions thereof clarifying certain definitions and terms changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

##### PERMISSION TO ADDRESS HOUSE

Mr. NAGEL asked and obtained unanimous consent to address the House.

Mr. Speaker, we are in the closing hours of this notable session. What we have done here will go down in history for better or for worse; we hope for better. For the past two weeks we have crowded legislation through here at a terrific speed, a mile a minute, if you please, and the last calendar of this session carries one hundred and thirty bills for our consideration. I submit to you that it is humanly impossible for any individual, regardless of who he may be or how brilliant he may be, to analyze and understand those bills. Many of us are going back home, not knowing what legislation has been passed and what we have voted for.

Mr. Speaker, I suggest—I will go further than suggest—I request that the Chairmen of the various major Committees prepare a statement, mimeographed, and have it mailed to the Members of this House, setting forth the number of bills that have been considered in Committee, with a small notation as to what these bills will do and their status with the Governor, whether they have been approved or not. I think this is very important. It is important to both sides of the House. We don't want to go back and have to make excuses to our constituents. If we have done wrong we want a little opportunity to prepare a report to the general public.

### SENATE MESSAGES

#### SENATE RECEDES FROM NONCONCURRENCE IN AMENDMENTS TO SENATE BILL NO. 286.

The Clerk of the Senate being introduced, informed that the Senate recedes from its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 286, and concurs in House amendments.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide money for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" eliminating certain obsolete provisions thereof clarifying certain definitions and terms changing the rights and obligations of employers and employees thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

#### COMMITTEE ON CONFERENCE DISCHARGED ON HOUSE BILL NO. 349.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL NO. 349.

An Act to further amend Sections three and five of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 284) entitled as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed bev-

erages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" increasing the rates of certain taxes for a further limited period of time

With information that the Senate discharged its Committee on Conference and recedes from its amendments nonconcurred in by the House.

### REPORT OF COMMITTEE TO WAIT UPON GOVERNOR

Mr. BRUNNER. Mr. Speaker, your committee appointed to wait upon His Excellency, the Governor, and inform him that the House is ready to adjourn sine die has performed that duty.

The SPEAKER. The committee is discharged with the thanks of the House.

### REPORT OF COMMITTEE TO WAIT UPON SENATE

Mr. CHARLES C. SMITH. Mr. Speaker, your committee, appointed to wait upon the Senate and inform that body that the House is ready to adjourn sine die has performed that duty.

The SPEAKER. The Committee is discharged with the thanks of the House.

### SENATE MESSAGE

#### RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 28, 1949.

Whereas, Continuing partial unemployment which has been increasing during the past year while seasonal at times, can also be an index of a slowing down of business activity; and

Whereas, The unemployment compensation law must be adequate to handle such partial continuing unemployment as a temporary problem as well as to withstand economic stresses over longer periods in order to insure confidence of the people of this Commonwealth in the economic stability of their State; now therefore be it

Resolved (if the Senate concur), That the Joint State Government Commission is hereby directed to make a study of unemployment and the Unemployment Compensation Law in order to ascertain that the manner of its administration and financing is sufficient to meet the problem of partial unemployment both seasonally and during continuing periods of unemployment resulting from a general slackening of economic activity; and be it further

Resolved, That the commission shall report its findings and recommendations to the next regular session of the General Assembly, together with such proposed legislation as it may deem essential to carry out the same.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## SENATE BILL NO. 286.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" eliminating certain obsolete provisions thereof clarifying certain definitions and terms changing the rights and obligations of employers and employees thereunder and requiring prothonotaries to enter certain liens without prepayment of costs

## SENATE BILL NO. 367.

An Act to further amend sections four three hundred one five hundred one five hundred two and six hundred one point one of and to amend section seven hundred two of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2896) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by changing and adding certain definitions providing for modification of the manner in which employer contribution rates are determined and under certain conditions for the payment by employers of the costs of appeals

## SENATE BILL NO. 399.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of certain additional words in corporate name authorizing the passage of by-laws superseding the charter on purely administrative matters permitting notice of meetings to be given by advertisement changing certain provisions

relating to mergers consolidations and foreign corporations and repealing an act

## SENATE BILL NO. 400.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing the requirement of and effect of notice to shareholders in certain cases further limiting the use of certain words in corporate names defining the term of office of the first directors changing provisions relating to the inception of corporate existence or authority to do business changing the requirements of contents of articles of incorporation and application for certificates of authority providing for indemnification of directors and officers of certain expenses making certain changes relating to issuance and redemption of shares amendment of articles of incorporation merger and consolidation providing for the domestication of foreign corporations and eliminating the filing of affidavit of paid in capital and clearance certificates in certain cases

## SENATE BILL NO. 530.

An Act to amend section ten of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" by increasing the minimum annual salaries of associate judges not learned in the law.

## SENATE BILL NO. 575.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards and commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by authorizing the transfer of unneeded purchased supplies between departments boards and commissions and by mak-

ing it a misdemeanor to refuse to obey a subpoena issued hereunder

SENATE BILL NO. 585.

An Act authorizing certain officers in cities of the first class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class in school districts of the first class under certain conditions

SENATE BILL No. 796.

An Act fixing the compensation and mileage of county auditors in counties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT SINE DIE

The SPEAKER. This being the day and the hour fixed by concurrent resolution adopted by the Senate and House of Representatives as the time when this General Assembly shall adjourn sine die, I now declare this 138th regular Session of the House of Representatives adjourned without day.









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